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District of Columbia REGISTER

HIGHLIGHTS

- D.C. Council passes Law 26-82, Special Education for Young Adults in the Custody of the Department of Corrections Second Temporary Amendment Act of 2025
- D.C. Council passes Law 26-84 to mandate uniform requirements for handling special deposit accounts by banks
- D.C. Council passes Law 26-86, Uniform College Athlete Name, Image, or Likeness Amendment Act of 2025
- D.C. Council passes Law 26-90, Green Housing Coordination Temporary Amendment Act of 2025
- D.C. Council proposes designating public transit employees as eligible recipients for the Government Employer-Assisted Housing Program (Act 26-258)
- D.C. Council proposes prohibiting private disability insurance providers from reducing short-term disability benefits based on actual or estimated paid leave benefits (Act 26-260)
- D.C. Council schedules agency performance oversight hearings for fiscal years 2025-2026
- Department of Employment Services announces funding availability for the Fiscal Year 2026 Pre-Apprenticeship High Demand Industries Grant
- Department of Health solicits qualified applicants to implement strategies for increasing food access for District residents through corner stores, home-delivered meals, farmers' market produce incentives, and school-based nutrition markets
- Public Service Commission updates the Commission's Freedom of Information Act rules

DISTRICT OF COLUMBIA REGISTER

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CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. LAWS

L26-81 Peace DC Omnibus Temporary Amendment Act of 2025 002671

L26-82 Special Education for Young Adults in the Custody of the Department of Corrections Second Temporary Amendment Act of 2025 002672

L26-83 Veteran Spouse Homestead Deduction Amendment Act of 2025 002673

L26-84 Uniform Special Deposits Act of 2025 002674

L26-85 Uniform Commercial Code Financing Statement Forms Amendment Act of 2025 002675

L26-86 Uniform College Athlete Name, Image, or Likeness Amendment Act of 2025 002676

L26-87 Malcolm X Extension of Disposition Authority and Term Sheet Amendment Act of 2025 002677

L26-88 Closing of a Public Alley in Square 3524, S.O. 23-06402, Act of 2025 002678

L26-90 Green Housing Coordination Temporary Amendment Act of 2025 002679

L26-91 Food & Friends Property Tax Exemption Temporary Amendment Act of 2025 002680

L26-92 Juvenile Curfew Second Temporary Amendment Act of 2025 002681

L26-93 Avanti Real Estate Services, LLC Real Property Tax Relief Temporary Act of 2025 002682

L26-94 Private Vehicle-for-Hire Operator Clarification Temporary Amendment Act of 2025 002683

L26-95 Prearrest Diversion Task Force Recommendations Temporary Amendment Act of 2025 002684

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

D.C. ACTS

A26-258 Home Purchase Assistance for Transit Workers Amendment Act of 2026 (B26-98) ..... 002685 - 002686

A26-259 Modification Nos. M0007, M0008, and M0009 to Contract No. CW108152 with Keefe Commissary Network, LLC Approval and Payment Authorization Emergency Act of 2026 (B26-568) ..... 002687 - 002688

A26-260 Short-Term Disability Insurance Benefit Protection Clarification Emergency Amendment Act of 2026 (B26-573) ..... 002689 - 002690

A26-261 Parking Enforcement Modernization Technical Correction Emergency Amendment Act of 2026 (B26-579) ..... 002691 - 002692

RESOLUTIONS

Res 26-118 Historic Preservation Review Board Matthew Bell Confirmation Resolution of 2025 002693

Res 26-119 Historic Preservation Review Board Patrick Williams Confirmation Resolution of 2025 002694

Res 26-233 District of Columbia Judicial Disabilities and Tenure Commission Dr. Maria J. Donoghue Velleca Appointment Resolution of 2025 002695

Res 26-250 Transfer of Jurisdiction of Portions of U.S. Reservations 343-C and 343-D, S.O. 23-03016, Approval Resolution of 2025 002696

Res 26-281 Installation of Statue of Bernardo de Galvez Commemorative Work Approval Resolution of 2025 002697

ADOPTED CEREMONIAL RESOLUTIONS

ACR 26-120 D.C. Groundhog Day Recognition Resolution of 2026 (Ceremonial Resolution 26-123) 002698

ACR 26-121 Terry Lamont Bennett Recognition Resolution of 2026 (Ceremonial Resolution 26-124) ..... 002699 - 002701

ACR 26-122 Mathew McCollough Memorial Recognition Resolution of 2026 (Ceremonial Resolution 26-125) ..... 002702 - 002707

ACR 26-123 Donna Lorraine Wright-Miller Memorial Recognition Resolution of 2026 (Ceremonial Resolution 26-126) ..... 002708 - 002709

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

ADOPTED CEREMONIAL RESOLUTIONS CONT'D

ACR 26-124 Nettie Pearl Drayton Hailes Memorial Recognition Resolution of 2026 (Ceremonial Resolution 26-127) ..... 002710 - 002711

ACR 26-125 Children's Dental Health Month Recognition Resolution of 2026 (Ceremonial Resolution 26-128) ..... 002712 - 002713

ACR 26-126 University of the District of Columbia 175th Anniversary Ceremonial Recognition Resolution of 2026 (Ceremonial Resolution 26-129) ..... 002714 - 002715

ACR 26-127 Margaret Johnson 99th Birthday Recognition Resolution of 2026 (Ceremonial Resolution 26-130) ..... 002716 - 002717

ACR 26-128 Minnie Elliott 88th Birthday Recognition Resolution of 2026 (Ceremonial Resolution 26-131) ..... 002718 - 002719

ACR 26-129 Pierpont Mobley Posthumous Recognition Resolution of 2026 (Ceremonial Resolution 26-132) ..... 002720 - 002722

BILLS INTRODUCED AND PROPOSED RESOLUTIONS

Notice of Intent to Act on New Legislation -
Bills B26-0595 through B26-0599, and Proposed Resolutions PR26-0537 through PR26-0545 ..... 002723 - 002725

COUNCIL HEARINGS

Notices of Public Hearings -
Agency Performance Oversight Hearings on Fiscal Years 2025-2026, 2/24/26 (Abbreviated) ..... 002726 - 002734

B26-324 Pass-Through Entities Income Tax and Tax Credit on Certain S Corporations and Partnerships Amendment Act of 2025 002735

B26-0572 Child Support Improvement Amendment Act of 2026 ..... 002736 - 002738
B26-0599 Emergency Medical Services Clarification Amendment Act of 2026 ..... 002736 - 002738
B26-0546 E911 Modernization Amendment Act of 2025 ..... 002736 - 002738
B26-0480 Ensuring Access and Supporting Engagement (EASE) Amendment Act of 2025 ..... 002736 - 002738

Notices of Public Roundtable -
PR26-512 Commission on Out of School Time Grants and Youth Outcomes Rohan Young Confirmation Resolution of 2026 002739

Youth Behavioral Health Crisis Response in D.C. ..... 002740 - 002741

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

OTHER COUNCIL ACTIONS

Notice of Grant Budget Modification -

GBM 26-0047 Grant Budget Modification as of February 13, 2026 002742

Notice of Reprogramming Requests -

26-0103 Request to reprogram Capital funds budget authority and allotment in the amount of $385,000 within the Department of Behavioral Health (DBH) 002743

26-0104 Request to reprogram Capital funds budget authority and allotment in the amount of $5,912,217 within the Department of Behavioral Health (DBH) 002743

Notice of Re-referred Proposed Legislation -

B26-14 Tax and Revenue Commission Establishment Amendment Act of 2025 ..... 002744 - 002750

B26-15 Quasi-Governmental Affordable Housing Production Amendment Act of 2025 ..... 002744 - 002750

B26-24 Social Determinants of Health Spending Amendment Act of 2025 ..... 002744 - 002750

B26-26 Theatrical Wrestling Regulation Amendment Act of 2025 ..... 002744 - 002750

B26-51 Comprehensive Cannabis Legalization and Regulation Amendment Act of 2025 ..... 002744 - 002750

B26-54 Clean Hands Economic Expansion and Revitalization Amendment Act of 2025 ..... 002744 - 002750

B26-90 Neighborhood Management Authority Act of 2025 ..... 002744 - 002750

B26-94 Society for Science Real Property Tax Exemption Amendment Act of 2025 ..... 002744 - 002750

B26-99 HIV In-Income Test Tax Exemption Amendment Act of 2025 ..... 002744 - 002750

B26-101 Removing Barriers and Reducing Sigma to Encourage HIV Prevention Amendment Act of 2025 ..... 002744 - 002750

B26-102 Expanding Access to Public Restrooms Act of 2025 ..... 002744 - 002750

B26-103 Fairness in Use and Negotiation for All Recreational Property Act of 2025 ..... 002744 - 002750

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

OTHER COUNCIL ACTIONS CONT'D

Notice of Re-referred Proposed Legislation - cont'd

B26-116 Fair Taxation of Municipal Bonds Amendment Act of 2025 ..... 002744 - 002750

B26-118 Support for the Capital Pride Parade Amendment Act of 2025 ..... 002744 - 002750

B26-121 St. Elizabeths East Parcel 13 Extension of Disposition Authority Amendment Act of 2025 ..... 002744 - 002750

B26-124 Utility Disconnection Protection Act of 2025 ..... 002744 - 002750

B26-134 Defective Deed Recordation Clarification Amendment Act of 2025 ..... 002744 - 002750

B26-157 Langston Slater Surplus Declaration and Disposition Approval Act of 2025 ..... 002744 - 002750

B26-181 Short-Term Disability Insurance Benefit Protection Clarification Amendment Act of 2025 ..... 002744 - 002750

B26-184 Helping Incentivize Returning Citizen Employment (HIRE) Amendment Act of 2025 ..... 002744 - 002750

B26-205 Industrial Revenue Bond Forward Commitment Program Amendment Act of 2025 ..... 002744 - 002750

B26-215 Residential Building Permit Classification Amendment Act of 2025 ..... 002744 - 002750

B26-225 Unlocking Housing at Metro Property Tax Exemption Amendment Act of 2025 ..... 002744 - 002750

B26-229 Personal Tax Simplification Amendment Act of 2025 ..... 002744 - 002750

B26-230 Automatic Retirement Savings Act of 2025 ..... 002744 - 002750

B26-237 4111 Kansas Avenue NW Timeline Extension and Tax Forgiveness Act of 2025 ..... 002744 - 002750

B26-252 Real Property Assessment and Appeals Schedule Revision Act of 2025 ..... 002744 - 002750

B26-253 Certified Business Enterprise Program Protection Amendment Act of 2025 ..... 002744 - 002750

B26-259 Medical Cannabis Retailer Craft Preparation Endorsement Act of 2025 ..... 002744 - 002750

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

OTHER COUNCIL ACTIONS CONT'D

Notice of Re-referred Proposed Legislation - cont'd

B26-284 Proficient Procurement Amendment Act of 2025 .....002744 - 002750

B26-314 Local News Funding Act of 2025.....002744 - 002750

B26-324 Pass-Through Entities Income Tax and Tax Credit on Certain S Corporations and Partnerships Amendment Act of 2025 .....002744 - 002750

B26-346 Medical Cannabis Conditional Licensure Extension Amendment Act of 2025.....002744 - 002750

B26-360 Senior Property Tax Aggregation Amendment Act of 2025 .....002744 - 002750

B26-369 Nightlife Noise Balance Amendment Act of 2025 .....002744 - 002750

B26-379 Poker and Blackjack Gaming Authorization Act of 2025 .....002744 - 002750

B26-416 Displacement Prevention Amendment Act of 2025 .....002744 - 002750

B26-425 St. Elizabeths East Parcels 7, 8 and 9 Surplus Declaration and Disposition Approval Act of 2025 .....002744 - 002750

B26-427 Cybersecurity and Accountability Act of 2025 .....002744 - 002750

B26-445 Small Retailer Property Tax Credit Expansion Amendment Act of 2025.....002744 - 002750

B26-448 Uniform Mortgage Modification Act of 2025 .....002744 - 002750

B26-464 Small and Local Business Credit Enhancement Amendment Act of 2025.....002744 - 002750

B26-466 St. Elizabeths East Parcel 13 Term Sheet Amendment Act of 2025 .....002744 - 002750

B26-467 Equitable Access to Financial Services Act of 2025 .....002744 - 002750

B26-469 Expanding Downtown Affordable Housing Options Act of 2025 .....002744 - 002750

B26-470 Innovate DC Amendment Act of 2025 .....002744 - 002750

B26-471 Special Events Permit Process Simplification Act of 2025 .....002744 - 002750

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

OTHER COUNCIL ACTIONS CONT'D

Notice of Re-referred Proposed Legislation - cont'd

B26-472 Vacant Space Art Activation Program Act of 2025.....002744 - 002750

B26-473 Youth Banking Amendment Act of 2025.....002744 - 002750

B26-476 Disabled Veterans Complete Property Tax Exemption Amendment Act of 2025.....002744 - 002750

B26-478 Renter Tax Credit Expansion Amendment Act of 2025.....002744 - 002750

B26-484 Fairness and Accuracy in Real Property Tax Assessments Amendment Act of 2025.....002744 - 002750

B26-485 Art Gallery Tax Exemption Amendment Act of 2025.....002744 - 002750

B26-486 Expanding Fertility Treatment Options Amendment Act of 2025.....002744 - 002750

B26-487 Job Growth Incentive Amendment Act of 2025.....002744 - 002750

B26-493 Strengthening Tenant Receivership and Oversight for Neighborhood Growth (STRONG) Homes Amendment Act of 2025.....002744 - 002750

B26-522 Medical Cannabis Process Improvement Amendment Act of 2025.....002744 - 002750

B26-530 St. Elizabeths East Parcel 6 Surplus Declaration and Disposition Approval Act of 2025.....002744 - 002750

B26-531 Urban Agriculture Amendment Act 2025.....002744 - 002750

B26-532 Senior Citizen Tax Cap Transfer Amendment Act of 2025.....002744 - 002750

B26-544, Pets in Housing Amendment Act of 2025.....002744 - 002750
B26-547 Green Death Care Option Amendment Act of 2025.....002744 - 002750

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES

PUBLIC HEARINGS

Alcoholic Beverage and Cannabis Administration -
Allure Lounge - ANC 6A - Sports Wagering.....002751
Ambar - ANC 6B - Streatery.....002752
Café Joy - ANC 2G - New - READVERTISEMENT.....002753
Café Joy - ANC 2G - New - RESCIND.....002754

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

PUBLIC HEARINGS CONT'D

Alcoholic Beverage and Cannabis Administration -
Culture / Vera - ANC 5D - Change of Hours - CORRECTION 002755
Culture / Vera - ANC 5D - Change of Hours - RESCIND 002756
Honeys - ANC 3F - Class Change 002757
Jaleo - ANC 2C - Streatery 002758
La Merna - ANC 2B - New 002759
Mikko Nordic Fine Food - ANC 2B - Streatery 002760
Oyamel - ANC 2C - Streatery 002761
Peruvian Brothers - ANC 6E - New 002762
Pho Viet USA - ANC 6C - Renewal 002763
Rocklands Barbeque and Grilling Company - ANC 3B - Streatery 002764
Service Bar - ANC 1B - Streatery 002765
Silver Diner/Silver Social - ANC 8F - Streatery 002766
Spicy Water - ANC 1B - Class Change 002767
Yellow - ANC 2E - Streatery 002768

FINAL RULEMAKING

Documents and Administrative Issuances, Office of -
Errata notice to amend 22 DCMR (Health),
Subtitle C (Medical Cannabis),
Ch. 65 (Cannabis Testing),
Sec. 6511 (Result Reporting) is added,
to correct incorrectly numbered section in the Final Rulemaking
published on February 20, 2026 at 73 DCR 002136 ..... 002769 - 002771

Public Service Commission - RM7-2025-01
Amend 15 DCMR (Public Utilities and Cable Television),
Ch. 7 (Freedom of Information Act Requests),
Sec. 701, 702, and 707,
to make revisions to the Commission's Freedom of Information Act rules ..... 002772 - 002774

EMERGENCY AND PROPOSED RULEMAKING

Housing Authority, DC -
Amend 14 DCMR (Housing),
Ch. 60 (Low Rent Housing: General Provisions) is repealed
and replaced with,
Ch. 60 (Overview of the Public Housing Program and
Admissions and Continuing Occupancy Plan),
Sections 6000 - 6003 ..... 002775 - 003008
Ch. 61 (Public Housing: Admission and Recertification) is repealed
and replaced with,
Ch. 61 (Fair Housing and Equal Opportunity),
Sections 6100 - 6104 ..... 002775 - 003008

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

EMERGENCY AND PROPOSED RULEMAKING CONT'D

Housing Authority, DC - cont'd
Amend 14 DCMR (Housing), cont'd
Ch. 62 (Low Rent Housing: Rent and Lease) is repealed and replaced with,
Ch. 62 (Eligibility),
Sections 6200 - 6203 ..... 002775 - 003008
Ch. 63 (Low Rent Housing: Grievance Procedures) is repealed and replaced with,
Ch. 63 (Applications, Waiting List, and Tenant Selection),
Sections 6300 - 6303 ..... 002775 - 003008
Ch. 64 (Low Rent Housing: Public Housing Transfer Policy) is repealed and replaced with,
Ch. 64 (Occupancy Standards and Unit Offers),
Sections 6400, 6401, and 6402 ..... 002775 - 003008
Ch. 65 (Low Rent Housing: Maintenance and Inspection) is repealed and replaced with,
Ch. 65 (Income and Rent Determinations),
Sections 6500 - 6506 ..... 002775 - 003008
Ch. 66 (Reserved) is renamed,
Ch. 66 (Verification),
Sections 6600 - 6604 ..... 002775 - 003008
Ch. 67 (Reserved) is renamed,
Ch. 67 (Leasing and Inspections),
Sections 6700 - 6703 ..... 002775 - 003008
Ch. 68 (Reserved) is renamed,
Ch. 68 (Reexaminations)
Sections 6800 - 6805 ..... 002775 - 003008
Ch. 70 (Reserved) is renamed,
Ch. 70 (Assistance Animals and Pets)
Sections 7000 - 7004 ..... 002775 - 003008
Ch. 73 (Reserved) is renamed,
Ch. 73 (Community Service)
Section 7300 - 7303 ..... 002775 - 003008
Ch. 74 (Reasonable Accommodation Policies and Procedures),
Section 7405 (Occupancy of Accessible Unit) ..... 002775 - 003008
Ch. 77 (Reserved) is renamed,
Ch. 77 (Transfer Policy)
Sections 7700 - 7704 ..... 002775 - 003008
Ch. 78 (Reserved) is renamed,
Ch. 78 (Lease Terminations)
Sections 7800 - 7804 ..... 002775 - 003008
Ch. 79 (Reserved) is renamed,
Ch. 79 (Public Housing Grievances and Appeals)
Sections 7900 - 7903 ..... 002775 - 003008
Ch. 80 (Reserved) is renamed,
Ch. 80 (Program Integrity)
Sections 8000, 8001, and 8002 ..... 002775 - 003008

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

EMERGENCY AND PROPOSED RULEMAKING CONT'D

Housing Authority, DC - cont'd
Amend 14 DCMR (Housing), cont'd
Ch. 81 (Rental Subsidy Programs: Housing Quality Standards and Inspections) is repealed and replaced with, Ch. 81 (Program Administration)
Sections 8100 - 8107 ..... 002775 - 003008
to address and remediate the issues identified by the United States Department of Housing and Urban Development (HUD) in its 2022 assessment of the District of Columbia Housing Authority; Tenth Emergency and Proposed Rulemaking to continue to engage with community stakeholders, advocates, residents, and resident councils regarding the proposed changes in the Ninth Emergency and Proposed Rulemaking published on February 13, 2026 at 73 DCR 001777 ..... 002775 - 003008

NOTICES, OPINIONS, AND ORDERS
MAYOR'S ORDERS

2026-029 Appointments — Board of Trustees of the University of the District of Columbia (Albert Cacozza and Amy Laitinen) 003009

2026-030 Reappointment — Combat Sports Commission (Shawn Townsend) 003010

2026-031 Reappointments and Appointments — Healthy Youth and Schools Commission (8 members) ..... 003011 - 003012

2026-032 Appointment — Interim Director, Office of Disability Rights (Peter Stephan) 003013

2026-033 Reappointments — Commission on Climate Change and Resiliency (Uwe Brandes, Maureen Holman, and Peggy Keller) 003014

NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES

Administrative Hearings, Office of -
Advisory Committee Meeting - March 19, 2026 ..... 003015 - 003016

Alcoholic Beverage and Cannabis Administration -
ABC Board's Alcohol Licensing Cancellation Agenda for March 4, 2026 003017
ABC Boards Calendar for March 4, 2026 ..... 003018 - 003022

District of Columbia International Public Charter School -
Request for Proposals - School Scheduling Optimization Services 003023

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES CONT'D

Education, State Board of -
High School Graduation Requirements Task Force Meeting -
March 19, 2026 003024

Elections, Board of -
Certification of ANC-SMD (4) Vacancies -
2F04, 3E07, 7C06, and 8D04 003025

Certification of Filling Vacancies in ANC-SMD -
6A01 Scott Burger 003026
6A02 Kimberly Butler 003026

Employment Services, Department of -
Notice of Funding Availability - Fiscal Year 2026
Pre-Apprenticeship High Demand Industries Grant ..... 003027 - 003028

Energy and Environment, Department of -
Notice of Filing of a Voluntary Cleanup Action Plan -
2201 Wisconsin Avenue, NW - No. VCP2025-086 003029

Notice of Intent to Issue Air Quality Permit -
#7378 The George Washington University,
500 17th Street NW ..... 003030 - 003031

Global Citizens Public Charter School -
Request for Proposals - Security & Access Control Services 003032

Health Care Finance, Department of -
Department of Health Care Finance Pharmacy and
Therapeutics Committee Meeting - March 5, 2026 003033

Health, Department of (DC Health) -
Board of Nursing Meeting - March 4, 2026 003034
Board of Professional Counseling Meeting - March 6, 2026 003035

Notices of Funding Availability -
Equitable Food Access Initiative: Healthy Corner Stores ..... 003036 - 003037
Equitable Food Access Initiative: Home Delivered Meals ..... 003038 - 003039
Equitable Food Access Initiative: Produce Incentives ..... 003040 - 003041
Equitable Food Access Initiative: School Based Nutrition Markets ..... 003042 - 003043

LEARN DC Public Charter School -
Request for Proposals - Construction Manager at Risk 003044

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES CONT'D

Licensing and Consumer Protection, Department of -
Board of Accountancy Meeting - March 6, 2026 003045
Board of Barber and Cosmetology Meeting - March 2, 2026 003046
Board of Real Estate Appraisers Meeting - February 26, 2026 003047

Public Employee Relations Board - Opinions
1936 PERB Case No. 25-RC-01 - American Federation of Government Employees, Local 631 and District of Columbia Department of General Services ..... 003048 - 003049

1937 PERB Case No. 25-U-08 - American Federation of Government Employees, Local 1975 v. District of Columbia Department of Motor Vehicles ..... 003050 - 003054

1938 PERB Case No. 25-UM-02 - American Federation of State, County, and Municipal Employees, District Council 20 and District of Columbia Public Library ..... 003055 - 003057

1939 PERB Case No. 25-UC-02 - District of Columbia Office of the State Superintendent of Education and Teamsters Local Union No. 639 ..... 003058 - 003060

1940 PERB Case No. 25-RC-02 - American Federation of Government Employees, Local 2978 and District of Columbia Department of Energy and Environment ..... 003061 - 003064

1941 PERB Case No. 22-U-08 - D.C. Police Union, Lodge #2 v. District of Columbia Metropolitan Police Department ..... 003065 - 003068

1942 PERB Case No. 24-U-42 - Taiwo Akintolu v. District of Columbia Department of Corrections ..... 003069 - 003076

1943 PERB Case No. 24-U-43 - Stephen Amobi v. District of Columbia Department of Corrections ..... 003077 - 003083

Public Service Commission -
Notice of Final Tariff - Formal Case No. 1155 and Electric Tariff 2022-06 - Pepco's Plug-In Vehicle Green Tariff Rate ..... 003084 - 003085

Retirement Board, DC -
Notice of Public Interest - Certification of Winner of the Election to Serve as the Active Teacher Member of the Board 003086

St. Coletta of Greater Washington Public Charter School -
Request for Proposals - Security Services 003087

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES CONT'D

Two Rivers Public Charter School -
Request for Proposals - Occupational and Physical Therapy Services 003088

Water and Sewer Authority, DC -
Human Resources and Labor Relations Committee Meeting -
March 11, 2026 003089

Zoning Adjustment, Board of - Cases
21381 Institute of Caribbean Studies - ANC 6C - Order ..... 003090 - 003093
21403 David William Lawrence and Madeline Britvec -
ANC 1D and 4C - Order ..... 003094 - 003097
21407 Michael and Nicole Murali - ANC 4A - Order ..... 003098 - 003100
21408 Kristin Clark - ANC 5C - Order ..... 003101 - 003103
21409 Valley Vista Condo Association - ANC 1C - Order ..... 003104 - 003107
21410 21410 of Nicholson St. Holdings, LLC and Nicholson
Street Properties, LLC - ANC 7B and 8A - Order ..... 003108 - 003111
21412 Taleesha Scott Richardson - ANC 5B - Order ..... 003112 - 003115
21422 Christine Cheu and Brian Rowe - ANC 7D - Order ..... 003116 - 003118

Zoning Adjustment, Board of - March 25, 2026 - Public Meeting
21030A So Others Might Eat - ANC 5F ..... 003119 - 003121

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-81

"Peace DC Omnibus Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-305 on First Reading and Final Reading, on July 1, 2025, and October 7, 2025, respectively. Following the signature of the Mayor on October 23, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-161 and was published in the edition of the D.C. Register (Vol. , page). Act 26-161 was transmitted to Congress on October 28, 2025 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 26-161 is now D.C. Law 26-81, effective January 27, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

Month	Dates Counted
October	28,29,30,31
November	3,4,5,6,7,10,12,13,14,17,18,19,20,21,24,25,26,28
December	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23,24,26,29,30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-82

"Special Education for Young Adults in the Custody of the Department of Corrections Second Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-349 on First Reading and Final Reading, on September 17, 2025, and October 7, 2025, respectively. Following the signature of the Mayor on October 23, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-164 and was published in the December 12, 2025 edition of the D.C. Register (Vol. 72, page 013866). Act 26-164 was transmitted to Congress on October 28, 2025 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 26-164 is now D.C. Law 26-82, effective January 27, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

Month	Dates Counted
October	28,29,30,31
November	3,4,5,6,7,10,12,13,14,17,18,19,20,21,24,25,26,28
December	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23,24,26,29,30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-83

"Veteran Spouse Homestead Deduction Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-10 on First Reading and Final Reading, on October 21, 2025, and November 4, 2025, respectively. Following the signature of the Mayor on November 24, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-200 and was published in the December 5, 2025 edition of the D.C. Register (Vol. 72, page 013479). Act 26-200 was transmitted to Congress on December 16, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-200 is now D.C. Law 26-83, effective January 30, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	16,17,18,19,22,23,24,26,29,30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-84

"Uniform Special Deposits Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-32 on First Reading and Final Reading, on October 21, 2025, and November 4, 2025, respectively. Following the signature of the Mayor on November 24, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-201 and was published in the December 5, 2025 edition of the D.C. Register (Vol. 72, page 013482). Act 26-201 was transmitted to Congress on December 16, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-201 is now D.C. Law 26-84, effective January 30, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	16,17,18,19,22,23,24,26,29,30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-85

"Uniform Commercial Code Financing Statement Forms Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-35 on First Reading and Final Reading, on October 21, 2025, and November 4, 2025, respectively. Following the signature of the Mayor on November 24, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-202 and was published in the December 5, 2025 edition of the D.C. Register (Vol. 72, page 013490). Act 26-202 was transmitted to Congress on December 16, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-202 is now D.C. Law 26-85, effective January 30, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	16,17,18,19,22,23,24,26,29,30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-86

"Uniform College Athlete Name, Image, or Likeness Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-175 on First Reading and Final Reading, on October 21, 2025, and November 4, 2025, respectively. Following the signature of the Mayor on November 24, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-203 and was published in the December 5, 2025 edition of the D.C. Register (Vol. 72, page 013492). Act 26-203 was transmitted to Congress on December 16, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-203 is now D.C. Law 26-86, effective January 30, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	16,17,18,19,22,23,24,26,29,30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-87

"Malcolm X Extension of Disposition Authority and Term Sheet Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-219 on First Reading and Final Reading, on October 21, 2025, and November 4, 2025, respectively. Following the signature of the Mayor on November 24, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-205 and was published in the December 5, 2025 edition of the D.C. Register (Vol. 72, page 013502). Act 26-205 was transmitted to Congress on December 16, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-205 is now D.C. Law 26-87, effective January 30, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	16,17,18,19,22,23,24,26,29,30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-88

"Closing of a Public Alley in Square 3524, S.O. 23-06402, Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-311 on First Reading and Final Reading, on October 21, 2025, and November 4, 2025, respectively. Following the signature of the Mayor on November 24, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-206 and was published in the December 5, 2025 edition of the D.C. Register (Vol. 72, page 013504). Act 26-206 was transmitted to Congress on December 16, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-206 is now D.C. Law 26-88, effective January 30, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	16,17,18,19,22,23,24,26,29,30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-90

"Green Housing Coordination Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-375 on First Reading and Final Reading, on November 4, 2025, and December 2, 2025, respectively. Following the signature of the Mayor on December 19, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-215 and was published in the January 2, 2026 edition of the D.C. Register (Vol. 73, page 000003). Act 26-215 was transmitted to Congress on December 30, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-215 is now D.C. Law 26-90, effective February 12, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29,30
February	2,3,4,5,6,9,10,11

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-91

"Food & Friends Property Tax Exemption Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-452 on First Reading and Final Reading, on November 4, 2025, and December 2, 2025, respectively. Following the signature of the Mayor on December 19, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-216 and was published in the January 2, 2026 edition of the D.C. Register (Vol. 73, page 000007). Act 26-216 was transmitted to Congress on December 30, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-216 is now D.C. Law 26-91, effective February 12, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29,30
February	2,3,4,5,6,9,10,11

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-92

"Juvenile Curfew Second Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-460 on First Reading and Final Reading, on November 4, 2025, and December 2, 2025, respectively. Following the signature of the Mayor on December 19, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-218 and was published in the January 2, 2026 edition of the D.C. Register (Vol. 73, page 000022). Act 26-218 was transmitted to Congress on December 30, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-218 is now D.C. Law 26-92, effective February 12, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29,30
February	2,3,4,5,6,9,10,11

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-93

"Avanti Real Estate Services, LLC Real Property Tax Relief Temporary Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-454 on First Reading and Final Reading, on November 4, 2025, and December 2, 2025, respectively. Following the signature of the Mayor on December 19, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-237 and was published in the January 2, 2026 edition of the D.C. Register (Vol. 73, page 000068). Act 26-237 was transmitted to Congress on December 30, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-237 is now D.C. Law 26-93, effective February 12, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29,30
February	2,3,4,5,6,9,10,11

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-94

"Private Vehicle-for-Hire Operator Clarification Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-456 on First Reading and Final Reading, on November 4, 2025, and December 2, 2025, respectively. Following the signature of the Mayor on December 19, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-238 and was published in the January 2, 2026 edition of the D.C. Register (Vol. 73, page 000070). Act 26-238 was transmitted to Congress on December 30, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-238 is now D.C. Law 26-94, effective February 12, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
December	30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29,30
February	2,3,4,5,6,9,10,11

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-95

"Prearrest Diversion Task Force Recommendations Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-391 on First Reading and Final Reading, on October 7, 2025, and October 21, 2025, respectively. Following the signature of the Mayor on November 10, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-193 and was published in the November 21, 2025 edition of the D.C. Register (Vol. 72, page 012875). Act 26-193 was transmitted to Congress on November 17, 2025 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 26-193 is now D.C. Law 26-95, effective February 13, 2026.

Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

Month	Dates Counted
November	17,18,19,20,21,24,25,26,28
December	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23,24,26,29,30,31
January	2,5,6,7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29,30
February	2,3,4,5,6,9,10,11,12

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-258

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 25, 2026

To amend the Government Employer-Assisted Housing Amendment Act of 1999 to designate public transit employees as eligible recipients for the Government Employer-Assisted Housing Program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Home Purchase Assistance for Transit Workers Amendment Act of 2026".

Sec. 2. The Government Employer-Assisted Housing Amendment Act of 1999, effective May 9, 2000 (D.C. Law 13-96; D.C. Official Code § 42-2501 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 42-2501) is amended by adding a new paragraph (11) to read as follows:

"(11) "Public transit employee" means a person employed by a publicly-owned mass transit system that is either owned or subsidized by the District.".

(b) Section 4 (D.C. Official Code § 42-2503) is amended as follows:

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

"(1) A District of Columbia government employee, a first-responder, an educator, or a public transit employee; and".

(2) Subsection (c) is amended by striking the phrase "with the District of Columbia or as an educator" and inserting the phrase "with the District of Columbia, as an educator, or as a public transit employee" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect after approval by the Mayor (or in the event of veto by the

ENROLLED ORIGINAL

Mayor, action by the Council to override the veto) and a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
FEBRUARY 13, 2026

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-259

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 13,2026

To approve, on an emergency basis, Modification Nos. M0007, M0008, and M0009 to Contract No. CW108152 with Keefe Commissary Network, LLC, and to authorize payment for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. M0007, M0008, and M0009 to Contract No. CW108152 with Keefe Commissary Network, LLC Approval and Payment Authorization Emergency Act 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 Modification Nos. M0007, M0008, and M0009 to Contract No. CW108152 with Keefe Commissary Network, LLC, and authorizes payment in the not-to-exceed amount of $2 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
FEBRUARY 13, 2026

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-260

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 13, 2026

To amend, on an emergency basis, the Universal Paid Leave Amendment Act of 2016 to prohibit private disability insurance providers from reducing short-term disability benefits based on actual or estimated paid leave benefits to which an eligible individual may be entitled to from the District, regardless of the jurisdiction in which the insurance policy was issued or written; and to amend the Insurance Trade and Economic Development Amendment Act of 2000 to make the prohibition on offsetting or reducing benefits under a private market short-term disability insurance policy based on estimated or actual benefits received under the Universal Paid Leave Amendment Act of 2016 enforceable under that law, regardless of the jurisdiction in which the insurance policy was issued or written.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Short-Term Disability Insurance Benefit Protection Clarification Emergency Amendment Act of 2026".

Sec. 2. Section 107(j)(1) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.07(j)(1)), is amended to read as follows:

"(j)(1) No insurer may offset or reduce benefits or income available to an eligible individual under an individual or group policy for temporary or short-term disability insurance based on estimated or actual benefits the eligible individual may or does receive under this act, regardless of the jurisdiction in which such policy was issued, executed, written, or delivered.".

Sec. 3. Section 120a the Insurance Trade and Economic Development Amendment Act of 2000, effective November 13, 2021 (D.C. Law 24-45; D.C. Official Code § 31-2231.20a), is amended as follows:

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

"(a) No insurer may offset or reduce benefits or income available to an eligible individual under a temporary or short-term disability insurance policy, based on estimated or actual benefits the eligible individual may or does receive under the Universal Paid Leave Amendment Act of

2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01 *et seq.*), regardless of in which jurisdiction such policy was executed, written, or delivered.".

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

"(c) For the purposes of this section, the term:

"(1) "Eligible individual" shall have the same meaning as provided in section 101(6) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01(6)).

"(2) "Self-insured employer" shall have the same meaning as provided in section 101(19A) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.01(19A)).".

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
FEBRUARY 13, 2026

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-261

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 13, 2026

To amend, on an emergency basis, the Fraudulent Vehicle Tag and Parking Enforcement Modernization Amendment Act of 2024 to amend the subject to appropriations provision.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Parking Enforcement Modernization Technical Correction Emergency Amendment Act of 2026".

Sec. 2. Section 401(a) of the Fraudulent Vehicle Tag and Parking Enforcement Modernization Amendment Act of 2024, effective May 2, 2025 (D.C. Law 25-325, 72 DCR 1284), is amended by striking the phrase "Sections 113, 114(b) and 201(c)(2) shall apply" and inserting the phrase "Section 201(c)(2) shall apply" in its place.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

ENROLLED ORIGINAL

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
FEBRUARY 13, 2026

ENROLLED ORIGINAL

A RESOLUTION

26-118

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2025

To confirm the reappointment of Matthew Bell to the Historic Preservation Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Review Board Matthew Bell Confirmation Resolution of 2025."

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

Matthew Bell
Everett Street, NW
Washington, DC 20008
(Ward 3)

as an architect member of the Historic Preservation Review Board, established by Mayor's Order 83-119, dated May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2028.

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

26-119

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2025

To confirm the reappointment of Patrick Williams to the Historic Preservation Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Review Board Patrick Williams Confirmation Resolution of 2025".

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

Patrick Williams
Daniel Lane, NW
Washington, DC 20015
(Ward 4)

as an architect member of the Historic Preservation Review Board, established by Mayor's Order 83-119, dated May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2028.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-233

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 4, 2025

To appoint Dr. Maria J. Donoghue Velleca to the District of Columbia Commission on Judicial Disabilities and Tenure.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Judicial Disabilities and Tenure Commission Dr. Maria J. Donoghue Velleca Appointment Resolution of 2025".

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

Dr. Maria J. Donoghue Velleca
22nd Street NW
Washington, DC 20037
(Ward 2)

as a nonlawyer member of the District of Columbia Commission on Judicial Disabilities and Tenure, established by section 431(d) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 792; D.C. Official Code § 1-204.31(d)), replacing Dr. Patrick Jackson, to serve the remainder of an unexpired 6-year term to end May 5, 2029.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the appointee, to the chairperson of the District of Columbia Commission on Judicial Disabilities and Tenure, and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-250

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 18, 2025

To approve the transfer of jurisdiction over portions of U.S. Reservations 343-C and 343-D from the National Park Service to the District for uses associated with the 11th Street Bridge Project.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Transfer of Jurisdiction of Portions of U.S. Reservations 343-C and 343-D, S.O. 23-03016, Approval Resolution of 2025".

Sec. 2. Pursuant to section 1 of An Act To authorize the transfer of jurisdiction over public land in the District of Columbia, approved May 20, 1932 (47 Stat. 161; D.C. Official Code § 10-111), the Council approves the transfer of jurisdiction from the U.S. Department of the Interior, National Park Service to the District of Columbia over approximately 165,294 square feet of land and approximately 5,653 square feet of air rights, being portions of U.S. Reservations 343-C and portions of U.S. Reservation 343-D, and also being a portion of Lot 800 in Square 5600, as shown on the Surveyor's plats in S.O. 23-03016.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Surveyor of the District of Columbia, the District of Columbia Recorder of Deeds, the Executive Director of the National Planning Commission, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, and the Regional Director of the National Capital Region of the National Park Service.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-281

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2025

To approve the installation of a commemorative work located in public space adjacent to the Embassy of Spain at 2375 Pennsylvania Avenue, NW, to be known as Bernardo de Galvez: A Friend of Independence.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Installation of Statue of Bernardo de Galvez Commemorative Work Approval Resolution of 2025".

Sec. 2. Pursuant to section 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01), the Council approves the installation of a commemorative work, consisting of a statue of Bernardo de Galvez, associated signage, and associated improvements, on public space adjacent to the Embassy of Spain at 2375 Pennsylvania Avenue, NW.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Spain-USA Foundation.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-123

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 20, 2026

To celebrate the ceremony of the District of Columbia's famous groundhog weatherman and political prognostician, Potomac Phil, as he delivers his highly anticipated annual forecast on February 2, 2026, and to declare that date "D.C. Groundhog Day."

WHEREAS, On February 2, 2026, residents and visitors of the District of Columbia will emerge to be educated on the American folklore tradition of Groundhog Day by Dupont Festival;

WHEREAS, on that morning, District residents will be reminded that if Potomac Phil emerges from his burrow and sees his shadow due to clear weather, he will retreat to his den and winter will persist for 6 more weeks and if he does not see his shadow because of cloudiness, spring will arrive early;

WHEREAS, District residents and visitors will be enlightened with the knowledge of Potomac Phil's uncanny power of weather and political predictions; and

WHEREAS, Potomac Phil will elucidate the seasonal forecast for hundreds of individuals in and around Dupont Circle during the morning of February 2, 2026.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "D.C. Groundhog Day Recognition Resolution of 2026".

Sec. 2. The Council of the District of Columbia hereby declares February 2, 2026, as "D.C. Groundhog Day" in the Nation's Capital and celebrates the District of Columbia's famous groundhog weatherman and political prognostician, Potomac Phil, as he delivers his highly anticipated annual forecast on February 2, 2026.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-124

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 20, 2026

To recognize the life, service and legacy of Terry Lamont Bennett.

WHEREAS, Terry Lamont Bennett was raised in Southeast Washington, D.C., where his roots, values, and purpose were firmly planted;

WHEREAS, Terry Lamont Bennett attended D.C. public schools throughout his entire childhood—elementary, middle, and high school—and was shaped by the very community he would one day dedicate his life to serving;

WHEREAS, Terry Lamont Bennett began playing football at the Boys & Girls Club 11 and continued competing in sports throughout high school;

WHEREAS, Terry Lamont Bennett was a natural leader and role model and earned numerous accolades as a student at Ballou High School, where he excelled in multiple sports, including baseball, track, basketball, and his favorite, football;

WHEREAS, Terry Lamont Bennett graduated from Ballou High School as valedictorian in 2011, a testament to both his discipline and determination, and that same year, he made history as the first student from Ballou High School to receive a Posse Scholarship, earning a full-tuition award to attend Bucknell University;

WHEREAS, Terry Lamont Bennett continued to lead with purpose at Bucknell University as president of the Black Student Union, an active participant in the Bucknell Student Union, and a proud member of the football team;

WHEREAS, Terry Lamont Bennett was also known for his joy and creativity beyond academics and athletics, earning campus-wide recognition as the University's go-to DJ, affectionately known as DJ TRaww or BabyShoes;

ENROLLED ORIGINAL

WHEREAS, Terry Lamont Bennett was committed to giving back to the community that raised him and returned home to Southeast D.C. after graduating from Bucknell University in 2015;

WHEREAS, Terry Lamont Bennett worked at Ballou High School as a behavior technician for 2 years while also beginning his journey as a football coach;

WHEREAS, Terry Lamont Bennett, driven by a deep desire to make a difference, made the decision to join the Metropolitan Police Department in 2017, often saying he wanted to "be the change" in his community;

WHEREAS, Terry Lamont Bennett graduated from the police academy in 2018 and proudly served his entire career in the First District, earning recognition for his dedication and service by being named Officer of the Month in 2024;

WHEREAS, Terry Lamont Bennett remained deeply committed to youth mentorship and athletics outside of his law enforcement career, coaching football at Ballou High School for 9 years, leading the team to numerous victories and two Turkey Bowl appearances, and over the years also serving as defensive coordinator, offensive coordinator, and most recently, assistant head coach;

WHEREAS, Terry Lamont Bennett played competitive flag football for 11 years, participating in both state and local championships;

WHEREAS, Terry Lamont Bennett held family at the heart of everything he did, with his mom and dad as his greatest motivation and his loudest supporters who were present at nearly every game, ceremony, and extracurricular milestone, always cheering him on; himself serving as a devoted husband to his wife, Nadia, whom he met in 2014 and married in 2023; a loving, hands-on father to their three-year-old son, Elijah; a proud and supportive uncle to his niece, Janyia, celebrating her academic excellence; a loving uncle to his nephews; a devoted brother to his sister, Keyonna; and as one who carried the memory of his late brother, Tracy, close to his heart;

WHEREAS, Terry Lamont Bennett balanced life as a police officer for the city, a coach for the community, and a family man at home with intention, pride, and unwavering commitment;

WHEREAS, Terry Lamont Bennett often said, "Watch me shine," and "I'm just a kid from Southeast," and he lived those words fully, proving that where you start does not limit how brightly you can shine; and

ENROLLED ORIGINAL

WHEREAS, Terry Lamont Bennett's legacy lives on through the lives he touched, the community he served, and the family he loved so deeply.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Terry Lamont Bennett Recognition Resolution of 2026".

Sec. 2. The Council of the District of Columbia honors and celebrates the life, service and legacy of Terry Bennett, and declares July 21, 2026, the anniversary of his birth, as "Terry Bennett Day" in the District of Columbia.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-125

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 3, 2026

To recognize, honor, and remember the life of Mathew McCollough and his exceptional advocacy for people with disabilities and devoted service to the United States and District of Columbia.

WHEREAS, Mr. McCollough was born with cerebral palsy and was 14 years old when the Americans with Disabilities Act (ADA) was signed into federal law by President George H. Bush in 1990;

WHEREAS, Mr. McCollough was a resident of the District of Columbia for 25 years, and a Ward 6 resident for much of that time;

WHEREAS, Mr. McCollough had a long and distinguished career working in disability advocacy and public service;

WHEREAS, Mr. McCollough, began his career serving in U.S. Department of Justice; Office of Justice Programs (OJP) from 2000 to 2002, and left because he observed there were few employees like him who were from diverse, ethnic backgrounds and/or had a disability;

WHEREAS, Mr. McCollough served as a grants manager and trainer at the Association of University Centers on Disabilities and National Service Inclusion Project, a training and technical assistance provider that advocates on behalf of individuals with disabilities to fully participate in service and civic-minded programs within their communities, from 2002 to 2008;

WHEREAS, Mr. McCollough was recognized for his communication and training expertise in the areas of education, diversity and sensitivity, cultural competency, and disability issues;

WHEREAS, Mr. McCollough served in the Office of Disability Rights (ODR) since the agency was established;

ENROLLED ORIGINAL

WHEREAS, Mr. McCollough served as ODR's first Communications Manager for 2 years; from 2008 to 2010;

WHEREAS, Mr. McCollough, as Communications Manager, was lead coordinator to enforce Section 508 web accessibility compliance of the DC.gov portal and to collect and monitor the effectiveness of 19 agencies' Americans with Disabilities Act (ADA) compliance plans and 108 facility assessments;

WHEREAS, Mr. McCollough served as the Executive Director of the DC Developmental Disabilities Council (DC DDC), which promotes independence and equal opportunity for District residents with intellectual and developmental disabilities, for 7 years, from 2010 to 2017;

WHEREAS, Mr. McCollough was the only Executive Director of a state developmental disabilities council with developmental disabilities in the nation;

WHEREAS, Mr. McCollough, as Executive Director of DC DDC, supervised 2 staff personnel and collaboratively worked with 15 District resident volunteers charged with strengthening the voices of people with developmental disabilities and their families in support of greater independence, empowerment, and the pursuit of life as they choose;

WHEREAS, Mr. McCollough served as the ODR Director for 8 years, after being nominated by Mayor Muriel Bowser and confirmed unanimously by the Council of the District of Columbia in 2017;

WHEREAS, during his confirmation hearing, Mr. McCollough's record of providing excellent advocacy, especially within the deaf community and his high degree understanding the requirements and accommodations of people with disabilities were commended by Jarvis Grindstaff, a Commissioner on the DC Commission on Persons with Disabilities;

WHEREAS, during his confirmation hearing, Mr. McCollough's assistance setting up the Hearing Loss Association of America's DC Chapter and continued support was recognized by Lon Rosenman, Vice President, Hearing Loss Association of America - DC Chapter;

WHEREAS, during his confirmation hearing, Mr. McCollough committed that his one mission as ODR director is to "ensure that The District of Columbia serves as a model city of accessibility for all who live and work in this great city and across the United States";

ENROLLED ORIGINAL

WHEREAS, Mr. McCollough, as ODR Director, led the development and implementation of the 3 most recent three-year District Olmstead Plans; 2017 – 2020; 2021 – 2024; and 2025 – 2027; which provide a comprehensive, effective working plan to demonstrate the District's compliance with the ADA's integration mandate, as clarified in the 1999 U.S. Supreme Court Case *Olmstead v. L.C.*, in which the Court ruled people with disabilities have the right to live and receive care in the community rather than in an institutional setting;

WHEREAS, Mr. McCollough offered detailed and thoughtful testimony during the agency's performance and budget oversight hearings over 5 Council Periods and before 2 Committee Chairs;

WHEREAS, Mr. McCollough oversaw ODR's partnership with the Department of General Services to create a new category of ADA-related work orders to better and more quickly resolve facilities issues that create accessibility barriers in District government spaces in Fiscal Year 2025;

WHEREAS, Mr. McCollough oversaw the transition of the Office of Deaf, DeafBlind, and Hard of Hearing into the Division of Deaf, DeafBlind, & Hard of Hearing within ODR in Fiscal Year 2026;

WHEREAS, Mr. McCollough closed ODR staff meetings by saying, "Take care of each other, and love each other";

WHEREAS, Mr. McCollough held memberships and positions of leadership on numerous national and District boards and commissions;

WHEREAS, Mr. McCollough served as the Mayoral-appointed Government Representative to the DC State Rehabilitation Council; from 2009 to 2025;

WHEREAS, Mr. McCollough served as the Chair of the DC State Rehabilitation Council; from 2016 to 2017;

WHEREAS, Mr. McCollough was appointed by President Barack Obama to serve on the United States Access Board, an independent federal agency devoted to establishing accessibility standards that promote the full integration and participation of people with disabilities, in 2011;

WHEREAS, Mr. McCollough was reappointed by President Barack Obama to serve a second term on the United States Access Board in 2015;

WHEREAS, Mr. McCollough, nominated by the US. Department of Health and Human Services Office of Minority Health to serve as a member of the Department's Region III Health Equity Council, from 2011 to 2016;

WHEREAS, Mr. McCollough served as a Commissioner on Human Rights; from 2012 to 2017;

WHEREAS, Mr. McCollough served as a Commissioner of the Serve DC Commission in the Mayor's Office of Volunteerism; from 2012 to 2018;

WHEREAS, Mr. McCollough served as a board member of the TASH- Equity, Opportunity & Inclusion for People with Disabilities, which internationally advocates for human rights and inclusion for people with significant disabilities and support, from 2012 to 2015;

WHEREAS, Mr. McCollough was a member of the Georgetown-Howard Universities Center for Clinical and Translational Science Community Advisory Board; from 2012 to 2026;

WHEREAS, Mr. McCollough served as the Board President of the National Association of Councils on Developmental Disabilities (NACDD), from 2016 to 2017;

WHEREAS, Mr. McCollough made history as the first NACDD Board President with developmental disabilities;

WHEREAS, Mr. McCollough served on the District of Columbia's 44th, 45th, and 46th, Presidential Inaugural Committee, reviewed and offered accessibility recommendations on the Presidential Inaugural's Evacuation Walk-out Concept of Operations Plan, and provided ADA compliance guidance to representatives from the National Presidential Inaugural Committee;

WHEREAS, Mr. McCollough achieved an impressive academic career, during which he earned multiple awards and recognitions;

WHEREAS, Mr. McCollough was received the Eagle Scout Award in 1991;

WHEREAS, Mr. McCollough graduated from James Madison University with a Batchelor of Arts in Political Science and a minor in Middle School Education in 1999;

WHEREAS, Mr. McCollough was inducted into the Alpha Phi Omega National Service Fraternity in 1998;

WHEREAS, Mr. McCollough graduated from American University in 2004 with a Master's in Public Administration (MPA) with a concentration in Management Consulting in

2004, and noted during his confirmation hearing this degree "solidified my commitment and purpose to serving all people with and without disabilities as a public servant";

WHEREAS, Mr. McCollough was inducted into the Pi Alpha Alpha, Public Administration National Honors Society in 2003;

WHEREAS, Mr. McCollough was the Director and Chapter Founder of the Best Buddies International, James Madison University from 1997 to 1999;

WHEREAS, Mr. McCollough held a staff faculty position at the Leadership Institute for Cultural Diversity & Linguistic and Cultural Competence, from 2015 to 2017;

WHEREAS, Mr. McCollough was inducted into the Susan M Daniels Mentoring Hall of Fame Class of 2016;

WHEREAS, Mr. McCollough's life and legacy were remembered and honored throughout the District of Columbia upon the announcement of his passing;

WHEREAS, Mr. McCollough was cherished and will be deeply missed by his wife, Melissa McCollough, family, friends, and all those who loved him;

WHEREAS, Mr. McCollough was admired by previous and current ODR employees and leaves a great absence within the agency that has never existed without him;

WHEREAS, Mr. McCollough's ODR colleagues reflected he "truly loved his work and believed in the power of community" and that "[h]is heart was with the community first as he prioritized programs and events that connected people with disabilities to important resources or empowered them in their own advocacy journeys";

WHEREAS, Mr. McCollough's ODR colleagues shared his love for "engaging with young people and made the most of every chance to show them that they can, and should, take on leadership and decision-making roles";

WHEREAS, Mr. McCollough was remembered by Mayor Muriel Bowser, under whom he served for 11 years, for serving "with extraordinary dedication and passion in public service" and for a career that "reflected his deep belief in dignity, opportunity, and respect for every individual";

WHEREAS, Mr. McCollough was remembered by Councilmember Janeese Lewis George, who chaired the committee that held oversight jurisdiction over ODR for the past 3

years as a "fierce advocate for and recognized champion of people with disabilities" and for his belief "legal compliance is the minimum — not maximum — standard for accessibility";

WHEREAS, Mr. McCollough was remembered by Councilmember Charles Allen as a fierce advocate, who spoke truth to power, and for his kindness and compassion when working with elected officials and constituents;

WHEREAS, Mr. McCollough was remembered by Councilmember Brianne Nadeau, who chaired the committee that previously held oversight jurisdiction over ODR, as "kind, funny, incredibly smart and deeply dedicated to the critical role of protecting the rights of people with disabilities" and a "collaborative and transparent leader";

WHEREAS, Mr. McCollough was remembered by Councilmember Matthew Frumin as "widely respected for his expertise, leadership, and commitment to public service";

WHEREAS, Mr. McCollough's legacy presses governments at all levels to reduce and eliminate discrimination and barriers to access within the areas of employment, housing, transportation, healthcare, and public services and spaces;

WHEREAS, Mr. McCollough's legacy encourages citizens of all abilities to identify and remove ableism through intentional examination of individual and institutional values, attitudes, beliefs, and actions; and

WHEREAS, Mr. McCollough's decades of advocacy and service will continue to impact and improve the lives of individuals with disabilities in the District of Columbia and United States of America for decades to come.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mathew McCollough Memorial Recognition Resolution of 2026".

Sec. 2. The Council of the District of Columbia recognizes, honors, and remembers the life of Mathew McCollough and his exceptional advocacy for people with disabilities and devoted service to the United States and District of Columbia.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-126

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 3, 2026

To recognize, honor, and celebrate the life of Donna Lorraine Wright-Miller for her lifelong service, compassion, and dedication to the people and communities of the District of Columbia.

WHEREAS, Ms. Donna Lorraine Wright-Miller was born on March 14, 1964, to Earl Wright, Jr. and Sarah M. Wright in Washington, D.C.;

WHEREAS, Ms. Wright-Miller was a proud graduate of McKinley Technology High School, attended the New Sewell Music Conservatory with a focus on piano, and received her Bachelor of Science in Psychology and Master of Social Work from Howard University;

WHEREAS, Ms. Wright-Miller was deeply rooted in her faith, and worshipped at Asbury United Methodist Church and, in recent years, the Takoma Metaphysical Chapel;

WHEREAS, Ms. Wright-Miller was deeply committed to the field of social work and holistic healing, and spent her career working with children, families, and seniors at the District of Columbia Child and Family Services Agency and MBI Health Services, LLC;

WHEREAS, Ms. Wright-Miller spent her life in community and service to the people of the District of Columbia;

WHEREAS, Ms. Wright-Miller was dedicated to honoring the legacy of her late father and instrumental in securing the naming of the 3800 block of 10th St NW as Earl Wright Jr. Way;

WHEREAS, Ms. Wright-Miller spent her life rooted in love for her family and steadfast devotion to her friends and loved ones;

WHEREAS, Ms. Wright-Miller touched countless lives through her warmth and light, found joy in hosting gatherings, sharing her vegan home cooking and holistic care rituals, and bringing people together in fellowship and community, and;

ENROLLED ORIGINAL

WHEREAS, Ms. Wright-Miller's lasting legacy of service, compassion, and kindness will live on in the many people who knew her, loved her, and were uplifted by her life.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Donna Lorraine Wright-Miller Memorial Recognition Resolution of 2026".

Sec. 2. The Council of the District of Columbia recognizes, honors, and remembers the life of Ms. Donna Wright-Miller.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-127

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 3, 2026

To recognize, honor, and celebrate the life of Nettie Pearl Drayton Hailes for her lifelong service, faith, leadership, and unwavering commitment to civil rights, community uplift, and the people of the District of Columbia.

WHEREAS, Ms. Nettie Pearl Drayton Hailes was born on April 10, 1928, to Laura and Almon Drayton in Thomasville, Georgia, and was raised in a Christian home grounded in faith, service, and resilience;

WHEREAS, Ms. Hailes was part of The Great Migration, relocating with her family from the Jim Crow South to New Brunswick, New Jersey, where she pursued her education while working to support her family, and later lived in New Bedford, Massachusetts, and Washington, D.C.;

WHEREAS, Ms. Hailes devoted her life to faith, family, and service, and was a lifelong disciple of Jesus Christ, an active church leader across multiple congregations, and a steadfast supporter of ministry and community care;

WHEREAS, Ms. Hailes was married in 1946 to the late Rev. Dr. Edward A. Hailes, Sr., and together they dedicated their lives to ministry, civil rights, and service, including his leadership as Executive Secretary of the District of Columbia Branch of the NAACP and coordination of the 1963 March on Washington;

WHEREAS, Ms. Hailes marched proudly in the 1963 March on Washington and lived a life rooted in the pursuit of racial justice, gender equity, and democratic participation, inspired by leaders such as Mary McLeod Bethune, Dr. Dorothy Irene Height, and Rev. Dr. Martin Luther King, Jr.;

WHEREAS, Ms. Hailes was a devoted wife, mother, grandmother, and great-grandmother, and created a home centered on faith, learning, culture, generosity, and care for others;

ENROLLED ORIGINAL

WHEREAS, Ms. Hailes was a lifelong activist and community leader who served as a Girl Scout leader, YWCA board member, advisor to young women, educator, entrepreneur, and mentor;

WHEREAS, Ms. Hailes was a distinguished leader within the National Council of Negro Women, including service as the 19th President of the Washington Section from 1997 to 1999, and played a key role in health advocacy, fundraising, and preserving the organization's historic headquarters on Pennsylvania Avenue;

WHEREAS, Ms. Hailes was a Legacy Life Member and Historian Emeritus of the Washington Section of the National Council of Negro Women, and received numerous honors recognizing her leadership, historical stewardship, and service to women and families;

WHEREAS, Ms. Hailes continued her advocacy into her later years as an Ambassador for the American Association of Retired Persons, focusing on protecting seniors from fraud and advancing affordable senior housing in the District of Columbia, including successful advocacy for senior housing in the redevelopment of the Walter Reed site in Northwest Washington;

WHEREAS, Ms. Hailes was also a licensed realtor who helped make homeownership possible for many families and remained deeply engaged in civic life, church leadership, and community organizing throughout her life;

WHEREAS, Ms. Nettie Pearl Drayton Hailes passed peacefully on January 10, 2026, in Washington, D.C., surrounded by her loving family, leaving behind a profound legacy of faith, courage, service, and love that will continue to inspire generations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Nettie Pearl Drayton Hailes Memorial Recognition Resolution of 2026".

Sec. 2. The Council of the District of Columbia recognizes, honors, and remembers the extraordinary life, leadership, and legacy of Ms. Nettie Pearl Drayton Hailes.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-128

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 3, 2026

To declare the month of February 2026 as "Children's Dental Health Month" in the District of Columbia, and to recognize the importance of oral health for children and the dedicated work of pediatric dentists and other oral health practitioners, educators, and caregivers across the District.

WHEREAS, tooth decay is one of the most common chronic conditions of childhood and can cause pain, infection, and missed school when left untreated, yet is largely preventable through regular dental visits, daily oral hygiene, and evidence-based preventive services;

WHEREAS, children under the age of six are at elevated risk for early childhood caries, and early prevention and timely treatment help protect children's overall health and readiness to learn;

WHEREAS, oral health outcomes and access to care reflect longstanding inequities, and Black and African American District residents and communities with lower income experience disproportionate burdens of untreated decay, tooth loss, and dental pain;

WHEREAS, ensuring that children enrolled in public coverage can receive preventive care is critical, and in FY 2024 approximately 41 percent of District children under age 21 enrolled in DC Medicaid received a preventive service from a dentist;

WHEREAS, preventive interventions such as dental sealants can reduce tooth decay, and strengthening outreach and access to preventive services is an important opportunity to improve children's oral health outcomes in the District;

WHEREAS, pediatric dentists and pediatric oral health teams provide specialized, child-centered care, including preventive screenings and sealants and restorative treatment as they help children and families build healthy habits, reduce dental anxiety, and establish lifelong oral health routines;

WHEREAS, the District is strengthened by an oral health workforce that includes 1,083 licensed dentists, with pediatric dentistry among the top reported specialties among dentists practicing in the District, representing 4.9 percent of dentists practicing in DC;

ENROLLED ORIGINAL

WHEREAS, DC Health's School-Based Oral Health Program increases access to clinical and non-clinical dental services, links children to dental homes, and helps reduce the negative impact of poor oral health on student preparedness and readiness to learn;

WHEREAS, each February, the American Dental Association sponsors National Children's Dental Health Month to promote good oral hygiene, encourage early preventive care, and support lifelong healthy habits;

WHEREAS, recognizing Children's Dental Health Month provides an opportunity to celebrate District providers, schools, and families, and to reaffirm the District's commitment to ensuring every child can grow up healthy and thrive with a bright smile.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Children's Dental Health Month Recognition Resolution of 2026".

Sec. 2. The Council of the District of Columbia declares the month of February 2026 as "Children's Dental Health Month" in the District of Columbia and commends pediatric dentists, oral health practitioners, public health professionals, educators, community providers, and families for their continued efforts to promote prevention, expand access to care, and ensure that every child in the District has the opportunity to achieve lifelong oral health and well-being.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-129

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 3, 2026

To acknowledge and celebrate the 175th anniversary of the University of the District of Columbia.

WHEREAS, The University of the District of Columbia (UDC), is the District's only public university and the nation's second-oldest historical black college and university (HBCU);

WHEREAS, UDC traces its origins to 1851, with the founding of the Miner Normal School, established by Myrtilla Miner to train young Black women as teachers and expand equitable access to education;

WHEREAS, From that foundation, the institution evolved significantly, and on August 1, 1977, through the consolidation of multiple predecessor schools including Federal City College, Washington Technical Institute, and District of Columbia Teachers College, UDC took on the form of the comprehensive public university we are familiar with today;

WHEREAS, UDC now offers more than 80 academic programs across 6 schools and colleges, including a nationally recognized law school; a vibrant community college in the Lamond-Riggs neighborhood, and workforce development programs in Congress Heights;

WHEREAS, UDC rose 5 places to #18 in the 2026 U.S. News & World Report HBCU rankings, reflecting gains in academic quality, student success and institutional reputation. The university was designated a Research College & University (RCU) in the Carnegie Classification, a recognition that underscores the university's growing research enterprise and expanding investment in scholarship that addresses real-world challenges facing the District and beyond; and

WHEREAS, in 2026, UDC celebrates its 175th anniversary – with festivities throughout the year designed to connect past, present and future Firebirds and engage the UDC community and beyond in reflection, storytelling and forward-looking conversations about UDC's impact and its role in shaping the District's future.

ENROLLED ORIGINAL

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "University of the District of Columbia 175th Anniversary Ceremonial Recognition Resolution of 2026".

Sec. 2. The Council acknowledges and celebrates the rich and vibrant history of the University of the District of Columbia. The Council also commends the scores of the administrators, students, faculty members and staff that have worked so diligently to create a culture of academic excellence and community pride in and around the District's only public university.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-130

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 3, 2026

To recognize, honor, and celebrate the life of Mrs. Margaret Johnson on the occasion of her 99th birthday.

WHEREAS, **Mrs. Margaret Johnson** was born on January 13, 1927, in Baltimore, Maryland, and later made Washington, D.C. her home;

WHEREAS, Mrs. Johnson married **Freddie Johnson** on September 18, 1954, and in 1969, the couple established roots in the Brookland community in Ward 5 by purchasing their family home on Newton Street, NE;

WHEREAS, Mrs. Johnson and her husband raised 4 children — **Noel, Karen, Fred, and Stephen Johnson** — and she is the cherished grandmother of five grandchildren and one great-grandson;

WHEREAS, Mrs. Johnson has always centered her life around love of family and service to others, creating a home filled with warmth, celebration, and support, and bringing joy to holidays, gatherings, and community life;

WHEREAS, Mrs. Johnson devoted herself as a homemaker while also supporting her children during their time singing with the National Children's Choir, formed by Judith St. Aubin, as they traveled nationally and internationally to Rome, Paris, London, the Vatican, and the White House to perform for 3 Presidents;

WHEREAS, Mrs. Johnson also worked in the radiology department at Georgetown University Hospital and contributed her time supporting a community drug hotline;

ENROLLED ORIGINAL

WHEREAS, Mrs. Johnson's professional journey included roles with the Center for Applied Research in the Apostolate (CARA), Second Genesis, People for the American Way, and *American Visions* magazine;

WHEREAS, Mrs. Johnson embraces lifelong learning, was an avid league bowler, and in her eighties joined the tap dance program "Seniors on the Move," performing in retirement communities and schools in Maryland;

WHEREAS, Mrs. Johnson has remained active in her faith community at St. Anthony of Padua Catholic Church and St. Anthony Catholic School, and served with the Ladies Auxiliary Council of the National Shrine Council of the Knights of Columbus, Chapter 4944; and

WHEREAS, on January 13, 2026, Mrs. Johnson celebrated her 99th birthday — a remarkable milestone rooted in nearly 6 decades of life, service, and community in Ward 5 — and she stands as the longest-living member of both her maternal and paternal families.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the **"Margaret Johnson 99th Birthday Recognition Resolution of 2026"**.

Sec. 2. The Council of the District of Columbia joins the family and friends of Mrs. Margaret Johnson in wishing her a happy 99th birthday and celebrates her milestone and her long-standing dedication to the Ward 5 community.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-131

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 3, 2026

To honor and celebrate the life of Mrs. Minnie Elliott on the occasion of her 88th birthday, and to recognize her decades of service to the Washington, D.C. community.

WHEREAS, Mrs. Minnie Elliott was born on February 5, 1938, in Washington, D.C., to James William Cook and Estelle Cook;

WHEREAS, Mrs. Elliott gained her passion for public service from her father, who trained and employed returning citizens from Lorton Prison, and provided meals to those in need in their neighborhood;

WHEREAS, Mrs. Elliot was deeply invested in her community from a young age as she was surrounded by the effects of segregation, and she later marched for the integration of McKinley High School;

WHEREAS, Mrs. Elliott was a student in D.C. Public Schools and later attended college, with an interest in urban renewal and development;

WHEREAS, Mrs. Elliott married William Elliott, a member of the U.S. Airforce, at the Holy Redeemer Catholic Church;

WHEREAS, Mrs. Elliott went on to raise 6 children, and has proudly raised both grandchildren and great-grandchildren;

WHEREAS, Mrs. Elliott spent time working at the National Institutes of Health, and as a counselor for underserved children;

WHEREAS, Mrs. Elliott also worked as a District Government employee, later retiring from D.C. Public Schools;

WHEREAS, in the 1990s, Mrs. Elliott moved to the Brookland Manor Apartments complex, located in Ward 5, to raise her grandchildren;

ENROLLED ORIGINAL

WHEREAS, Mrs. Elliott's experiences at Brookland Manor led to her establishing the Brookland Manor/Brentwood Village Residents Association, as a way of initially addressing ongoing maintenance and safety issues;

WHEREAS, Mrs. Elliott served as President of the Residents Association, expanding the work of the Association to assist Seniors, prevent displacement of residents, and preserve affordable housing;

WHEREAS, Mrs. Elliott later connected with the Edgewood/Brookland Family Support Collaborative, which brough a wealth of resources to the residents of Brookland Manor, including a weekly food bank distribution; and

WHEREAS, on February 5, 2026, Mrs. Elliott will celebrate her 88th birthday, a remarkable milestone rooted in decades of commitment to her community.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Minnie Elliott 88th Birthday Recognition Resolution of 2026".

Sec. 2. The Council of the District of Columbia joins the family and friends of Mrs. Minnie Elliott in wishing her a happy 88th birthday, and celebrates her milestone and her long-standing dedication to the residents of Ward 5 and the D.C. community.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

26-132

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 3, 2026

To recognize, honor, and celebrate the life, contributions, and accomplishments of civil rights and equal employment leader Pierpont Mobley.

WHEREAS, Mr. Pierpont Mobley was born on December 20, 1937, in Washington, D.C.;

WHEREAS, Mr. Mobley received his education in the District, and became interested in civil rights, politics, and government after experiencing his own challenges of discrimination while growing up in Washington, D.C.;

WHEREAS, Mr. Mobley attended Antioch School of Law, now known as the University of the District of Columbia's David A. Clarke School of Law;

WHEREAS, Mr. Mobley graduated from Antioch with a Master of Arts and Master of Legal Studies in equal employment opportunity and employment law, which steered the course of his future pursuits;

WHEREAS, Mr. Mobley established himself as a family man early on, marrying Jeannette Mobley, raising 2 children Anthony and Patricia, and spending the next 58 years building a life together rooted in care for one another as well as their community;

WHEREAS, Mr. Mobley's faith was central to his life as well, as he was an active member of the Second New St. Paul Baptist Church in Ward 5 for 50 years;

WHEREAS, Mr. Mobley began his public service with the National Security Agency, and went on to the White House to serve under President Johnson, Nixon, Ford, and Carter's Administrations, where he spent more than 25 years as an equal employment opportunity specialist across government agencies;

WHEREAS, one of Mr. Mobley's proudest moments was when he was appointed the Equal Employment Opportunity Manager in the White House Personnel Office, where he

oversaw personnel relations, and had the distinction of drafting the first affirmative action plan for the White House and the Executive Offices of the President during the Carter Administration;

WHEREAS, Mr. Mobley also worked for the Department of the Army with the DC National Guard as a military personnel and race relations specialist for 22 years;

WHEREAS, before retiring from federal service, Mr. Mobley served in the Department of the Interior as Chief of Complaints and Adjudication for the Bureau of Mines;

WHEREAS, Mr. Mobley also served as the Branch Chief of Equal Employment Opportunity for the Department of Agriculture's Soil Conservation Service, where his work helped to create national awareness of the plight of Black farmers and was the impetus for their receipt of a major financial settlement under President Obama's Administration;

WHEREAS, upon Mr. Mobley's retirement, he and his wife founded The JPM Group, LLC, a consulting firm specializing in human resources and management, providing services to business, government and non-profits;

WHEREAS, Mr. Mobley remained active in local politics as well, serving on Congresswoman Eleanor Holmes Norton's Service Academy Board, and was a Mayoral Appointee on the D.C. Office of Human Rights Commission and the Office of Administrative Appeals;

WHEREAS, Mr. Mobley was also the campaign manager for former Councilmember Vincent Orange in 1998, who successfully won the Ward 5 seat;

WHEREAS, Mr. Mobley's long-standing commitment to his community and activism garnered him the respect of many in both business and political circles;

WHEREAS, in 2012, Mr. Mobley was inducted into the National HistoryMakers for his outstanding government service and commitment to civil and human rights;

WHEREAS, in 2014, Congresswoman Eleanor Holmes Norton presented Mr. Mobley with a Certificate of Special Congressional Recognition for outstanding and invaluable service;

WHEREAS, in 2020, Mr. Mobley and his wife were honored by a DC Council Ceremonial Resolution, which celebrated their induction into the Washington, D.C. Hall of Fame, and recognized them for their many years of leadership and service to the city and residents of the District of Columbia;

ENROLLED ORIGINAL

WHEREAS, in 2021, Mr. Mobley received the Man-Made Award for mentoring and training young men on job readiness and manhood issues;

WHEREAS, in 2022, Mr. Mobley received President Biden's Presidential Lifetime Achievement Award for Volunteer Services;

WHEREAS, in 2024, Mr. Mobley authored a memoir called *Black Side of the White House: A Memoir For Generations to Come*, where he shared his experiences as the first Black person to work in the White House Personnel Office under four Administrations;

WHEREAS, in 2025, Mr. Mobley and his wife received the Global Couples Award for Community Service; and

WHEREAS, Mr. Mobley passed on January 22, 2026, at the age of 88, having fulfilled his commitment to himself that his education and life journey would be focused on helping others in the areas of employment and civil rights, both on the job and in his community.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Pierpont Mobley Posthumous Recognition Resolution of 2026".

Sec. 2. The Council of the District of Columbia recognizes and honors Pierpont Mobley for his unwavering dedication and leadership in the United States, the District of Columbia, and his local community.

Sec. 3. 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

B26-0595 Transparent Rates and Utility Expenses Amendment Act of 2026

Intro. 02-13-2026 by Councilmembers R. White, Frumin, T. White, Bonds, Nadeau, and Parker and referred sequentially to the Committee on Transportation and the Environment, and Committee on Housing

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B26-0596 Utility Rates and Ratemaking Amendment Act of 2026

Intro. 02-13-2026 by Councilmembers R. White, Parker, Pinto, and Nadeau and referred to the Committee on Transportation and the Environment

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B26-0597 Housing Production Omnibus Amendment Act of 2026

Intro. 02-18-2026 by Councilmembers Nadeau, R. White, Lewis George, and Allen and referred to the Committee on Housing

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B26-0598 Housing Investment Efficiency and Accountability Act of 2026

Intro. 02-18-2026 by Councilmembers R. White, Lewis George, Bonds, and T. White and referred sequentially to the Committee on Housing, and Committee of the Whole

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B26-0599 Emergency Medical Services Clarification Amendment Act of 2026

Intro. 02-19-2026 by Councilmembers Pinto, Lewis George, and Bonds and referred to the Committee on Judiciary and Public Safety

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PR26-0537 District of Columbia Housing Authority Board of Commissioners Christopher Murphy Confirmation Resolution of 2026

Intro. 02-13-2026 by Chairman Mendelson and referred to the Committee on Housing

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PR26-0538 District of Columbia Housing Authority Board of Commissioners Denise Blackson Confirmation Resolution of 2026

Intro. 02-13-2026 by Chairman Mendelson and referred to the Committee on Housing

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PR26-0539 District of Columbia Housing Authority Board of Commissioners James Dickerson Confirmation Resolution of 2026

Intro. 02-13-2026 by Chairman Mendelson and referred to the Committee on Housing

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PR26-0540 District of Columbia Housing Authority Board of Commissioners Leroy Clay III Confirmation Resolution of 2026

Intro. 02-13-2026 by Chairman Mendelson and referred to the Committee on Housing

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PR26-0541 District of Columbia Housing Authority Board of Commissioners Ronnie Harris Confirmation Resolution of 2026

Intro. 02-13-2026 by Chairman Mendelson and referred to the Committee on Housing

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PR26-0542 District of Columbia Housing Authority Board of Commissioners Raymond Skinner Confirmation Resolution of 2026

Intro. 02-13-2026 by Chairman Mendelson and referred to the Committee on Housing

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PR26-0543 District of Columbia Housing Authority Board of Commissioners Teresa Silla Confirmation Resolution of 2026

Intro. 02-13-2026 by Chairman Mendelson and referred to the Committee on Housing

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PR26-0544 Transfer of Jurisdiction over a Portion of Lot 1008 in Square 1299, being a Portion of Reservation 357, S.O. 25-01882, Approval Resolution of 2026

Intro. 02-17-2026 by Chairman Mendelson and referred to the Committee of the Whole

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PR26-0545 Streatery Program Rulemaking Approval Resolution of 2026

Intro. 02-17-2026 by Chairman Mendelson and referred to the Committee on Transportation and the Environment

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COUNCIL OF THE DISTRICT OF COLUMBIA
ABBREVIATED NOTICE OF PUBLIC HEARINGS
AGENCY PERFORMANCE OVERSIGHT HEARINGS ON
FISCAL YEARS 2025-2026
2-24-2026

SUMMARY

January 22, 2026 to March 6, 2026	Agency Performance Oversight Hearings on Fiscal Years 2025-2026
February 10, 2026	Committee of the Whole Public Briefing on the Fiscal Year 2025 Annual Comprehensive Financial Report (ACFR) at 2:00 p.m. in Room 500

The Council of the District of Columbia hereby gives notice of its intention to hold public oversight hearings on agency performance for FY 2025 and FY 2026. The hearings will begin on Thursday, January 22, 2026 and conclude on Friday, March 6, 2026.

You can access hearing notices, sign-up to testify, and find other pertinent hearing information by going to the hearing management system at: https://lims.dccouncil.gov/hearings. Some hearings listed in this notice will be broadcast live on DC Council Channel 13, or streamed live at www.dccouncil.gov, entertainment.dc.gov, or at the link provided.

Witnesses who require language interpretation services, including sign language interpretation, should inform the relevant Committee as soon as possible, but no later than ten (10) business days before the proceeding.

ADDENDUM OF CHANGES TO THE PUBLIC HEARING SCHEDULE

New Date	*Original Date*	*Date Change*	*Hearing Change*
N/A	*1/28/2026*	*1/28/2026*	Committee on Youth (changing the start time from 9:30a to 12:30p)
2/4/2026	*1/28/2026*	*1/28/2026*	Committee on Executive (adding: Executive Office of the Mayor and, Mayor's Office of Community Affairs (**Public Witnesses Only)**, and Mayor's Office of Legal Counsel); Room 412; Time: 9:30a - 5:30p
2/10/2026	*N/A*	*1/28/2026*	Committee on Public Works (adding: Alcoholic Beverage Cannabis Administration); Room 412; Time: 11:00a - 6:00p
2/11/2026	*N/A*	*1/28/2026*	Committee on Executive (adding: Events DC-**Public Witnesses Only**); Room 500; Time: 9:30a - 5:30p
2/27/2026	*N/A*	*1/28/2026*	Committee on Transportation (adding: Public Service Commission and Office of the People's Counsel); Room 412; Time: 9:30a - 5:30p
2/10/2026	*2/5/2026*	*2/4/2026*	Committee of the Whole (ACFR Hearing); Room 500; Time: 2:00p
2/18/2026	*N/A*	*2/4/2026*	Committee on Local Development (Department on Small and Local Business Development-**Public Witnesses Only**; Room 123; Time: 3:00p - 6:00p
2/20/2026	*N/A*	*2/4/2026*	Committee on Human Services (adding: Deputy Mayor for Planning and Economic Development); Room 123; Time: 9:30a - 5:30p
2/24/2026	*2/11/2026*	*2/4/2026*	Committee of the Whole (Office of the Chief Financial Officer): Room 412; Time: 1:00p - 6:00p
2/24/2026	*N/A*	*2/4/2026*	Committee on Human Services (adding: Office of Lottery and Gaming): Room 123; Time: 9:30a - 5:30p
2/27/2026	*N/A*	*2/4/2026*	Committee on Local Development (Department of Small and Local Business Development-**Government Witnesses Only**); Room 123; Time: 9:30a - 1:30p
3/2/2026	*2/4/2026*	*2/4/2026*	Committee on Executive (adding: Executive Office of the Mayor, Mayor's Office of Community Affairs-**Government Witnesses Only**); Room 123; Time: 9:30a - 5:30p
3/4/2026	*N/A*	*2/4/2026*	Committee on Local Development (RFK Community Benefits Oversight Committee-**Government Witnesses Only**); Room 123; Time: 9:30a - 1:30p
3/4/2026	*N/A*	*2/4/2026*	Committee on Public Works (Department of Public Works-**Government Witnesses Only**); Room 120; Time: 9:30a - 3:30p
3/2/2026	*N/A*	*2/10/2026*	Committee on Executive (adding: Office of the Inspector General); Room 123; Time 9:30a - 5:30p
N/A	*2/24/2026*	*2/18/2026*	Committee on Human Services (Office of Lottery and Gaming); Time change from 9:30a to 2:00p; Room 123
2/19/2026	*2/12/2026*	*2/18/2026*	Committee of the Whole (DC Office of Zoning); Room 412; Time: 9:30a
N/A	*3/5/2026*	*2/24/2026*	Committee on Transportation (Public Service Commission and Office of the People's Counsel-**Government Witnesses Only**); Room 120;Time: 11:30a - 2:00p

PUBLIC HEARING SCHEDULE

COMMITTEE ON HOUSING — **Chairperson Robert C. White, Jr.**

THURSDAY, JANUARY 22, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
2:00 p.m. - 6:00 p.m.	Office of the Tenant Advocate
	Mayor's Office of Returning Citizen Affairs

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON HEALTH — **Chairperson Christina Henderson**

TUESDAY, JANUARY 27, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency (Public Witnesses Only)**
11:30 a.m. - 6:00 p.m.	Deputy Mayor for Health and Human Services
	Department of Health Care Finance

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY — **Chairperson Brooke Pinto**

WEDNESDAY, JANUARY 28, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 5:00 p.m.	Office of Unified Communications
	Board of Ethics and Government Accountability

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT — **Chairperson Charles Allen**

WEDNESDAY, JANUARY 28, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency (Public Witnesses Only)**
9:30 a.m. - 6:00 p.m.	District Department of Transportation

This hearing can be viewed live at https://www.youtube.com/@councilmembercharlesallen/streams.

COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR — **Chairperson Anita Bonds**

WEDNESDAY, JANUARY 28, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 5:30 p.m.	Executive Office of the Mayor
	Mayor's Office of Community Affairs
	Mayor's Office of Legal Counsel

This hearing can be viewed live at https://www.youtube.com/channel/UCgy5EojaMYGtwicWSfg9NeA.

COMMITTEE ON YOUTH AFFAIRS — **Chairperson Zachary Parker**

WEDNESDAY, JANUARY 28, 2026; via Virtual Meeting Platform - Room 120	
Time	**Agency (Public Witnesses Only)**
12:30 p.m. - 6:00 p.m.	Child and Family Services Agency
	Office of Ombudsperson for Children

This hearing can be viewed live at https://www.youtube.com/@councilmemberzacharyparker.

COMMITTEE ON HOUSING — **Chairperson Robert C. White, Jr.**

THURSDAY, JANUARY 29, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 1:30 p.m.	Real Estate Commission
	Board of Real Estate Appraisers
	Rental Housing Commission
	Office of Advisory Neighborhood Commission

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON HUMAN SERVICES — **Chairperson Matthew Frumin**

THURSDAY, JANUARY 29, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
2:00 p.m. - 6:00 p.m.	District of Columbia Public Library

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON FACILITIES — **Chairperson Janeese Lewis George**

THURSDAY, JANUARY 29, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency (Public Witnesses Only)**
9:30 a.m. - 6:00 p.m.	Department of General Services

This hearing can be viewed live at https://www.janeeseward4.com/live.

COMMITTEE ON HEALTH **Chairperson Christina Henderson**

THURSDAY, JANUARY 29, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 1:30 p.m.	Deputy Mayor for Health and Human Services
	Department of Health Care Finance

This hearing can be viewed live at https://www.youtube.com/@CMCHenderson/streams.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Charles Allen**

MONDAY, FEBRUARY 2, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Washington Metropolitan Area Transit Authority

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON YOUTH AFFAIRS **Chairperson Zachary Parker**

MONDAY, FEBRUARY 2, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency (Public Witnesses Only)**
10:00 a.m. - 6:00 p.m.	Department of Youth Rehabilitation Services
	Office of the Attorney General (Juvenile Justice Related)

This hearing can be viewed live at https://www.youtube.com/@councilmemberzacharyparker.

COMMITTEE ON HEALTH **Chairperson Christina Henderson**

MONDAY, FEBRUARY 2, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency (Public Witnesses Only)**
9:30 a.m. - 1:30 p.m.	Department of Behavioral Health

This hearing can be viewed live at https://www.youtube.com/@CMCHenderson/streams.

COMMITTEE ON HEALTH **Chairperson Christina Henderson**

WEDNESDAY, FEBRUARY 4, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 1:30 p.m.	Department of Behavioral Health

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON YOUTH AFFAIRS **Chairperson Zachary Parker**

WEDNESDAY, FEBRUARY 4, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency (Government Witnesses Only)**
2:00 p.m. - 6:00 p.m.	Child and Family Services Agency
	Office of Ombudsperson for Children

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR **Chairperson Anita Bonds**

WEDNESDAY, FEBRUARY 4, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
9:30 a.m. - 5:30 p.m.	Executive Office of the Mayor **(Public Witnesses Only)**
	Mayor's Office of Community Affairs **(Public Witnesses Only)**
	Mayor's Office of Legal Counsel
	Office of Employee Appeals
	Department of Human Resources

This hearing can be viewed live at https://www.youtube.com/channel/UCgy5EojaMYGtwicWSfg9NeA.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Brooke Pinto**

WEDNESDAY, FEBRUARY 4, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Corrections Information Council
	Department of Corrections

This hearing can be viewed live at https://www.youtube.com/@cmbrookepinto.

COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR **Chairperson Anita Bonds**

THURSDAY, FEBRUARY 5, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 1:30 p.m.	Office of the Secretary
	Workforce Investment Council

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON HUMAN SERVICES **Chairperson Matthew Frumin**

THURSDAY, FEBRUARY 5, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 12:30 p.m.	Office of Cable Television, Film, Music and Entertainment

This hearing can be viewed live at https://www.youtube.com/@cmfrumin/streams.

COMMITTEE ON PUBLIC WORKS & OPERATIONS **Chairperson Brianne Nadeau**

FRIDAY, FEBRUARY 6, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 1:30 p.m.	Department of For-Hire Vehicles

This hearing can be viewed live at https://www.brianneknadeau.com/committee.

COMMITTEE ON YOUTH AFFAIRS **Chairperson Zachary Parker**

MONDAY, FEBRUARY 9, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency (Government Witnesses Only)**
10:00 a.m. - 1:30 p.m.	Department of Youth Rehabilitation Services
	Office of the Attorney General (Juvenile Justice Related)

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Brooke Pinto**

MONDAY, FEBRUARY 9, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Homeland Security and Emergency Management Agency
	Office of the Attorney General

This hearing can be viewed live at https://www.youtube.com/@cmbrookepinto.

COMMITTEE ON PUBLIC WORKS & OPERATIONS **Chairperson Brianne Nadeau**

TUESDAY, FEBRUARY 10, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
11:00 a.m. - 6:00 p.m.	Alcoholic Beverage Cannabis Administration

This hearing can be viewed live at https://www.brianneknadeau.com/committee.

COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR **Chairperson Anita Bonds**

WEDNESDAY, FEBRUARY 11, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 5:30 p.m.	Department of Employment Services **(Public Witnesses Only)**
	Washington Convention Center and Sports Authority (Events DC)

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

WEDNESDAY, FEBRUARY 11, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
9:30 a.m. - 1:30 p.m.	DC Auditor
	District of Columbia Retirement Board/Funds
	Commission on the Arts and Humanities
2:00 p.m. - 6:00 p.m.	Office of the Chief Financial Officer

This hearing can be viewed live at www.ChairmanMendelson.com/live.

COMMITTEE ON HEALTH **Chairperson Christina Henderson**

WEDNESDAY, FEBRUARY 11, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 1:30 p.m.	Board of Pharmacy
	Board of Dentistry
	Board of Optometry
	Food Policy Council

This hearing can be viewed live at https://www.youtube.com/@CMCHenderson/streams.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Brooke Pinto**

WEDNESDAY, FEBRUARY 11, 2026; via Virtual Meeting Platform - Room 120	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Department of Forensic Sciences
	Deputy Mayor for Public Safety and Justice

This hearing can be viewed live at https://www.youtube.com/@cmbrookepinto.

COMMITTEE ON FACILITIES **Chairperson Janeese Lewis George**

THURSDAY, FEBRUARY 12, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency (Public Witnesses Only)**
9:30 a.m. - 6:00 p.m.	Department of Parks and Recreation

This hearing can be viewed live at https://www.janeeseward4.com/live.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

THURSDAY, FEBRUARY 12, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Metropolitan Washington Airports Authority
	Metropolitan Washington Council of Government
	Office of Zoning
	Office of Planning
	Department of Buildings

This hearing can be viewed live at www.ChairmanMendelson.com/live.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Charles Allen**

THURSDAY, FEBRUARY 12, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 1:30 p.m.	Department of Motor Vehicles

This hearing can be viewed live at https://www.youtube.com/@councilmembercharlesallen/streams.

COMMITTEE ON YOUTH AFFAIRS **Chairperson Zachary Parker**

THURSDAY, FEBRUARY 12, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
2:00 p.m. - 6:00 p.m.	Office on African Affairs
	Office on African American Affairs

This hearing can be viewed live at https://www.youtube.com/@councilmemberzacharyparker.

COMMITTEE ON PUBLIC WORKS & OPERATIONS **Chairperson Brianne Nadeau**

THURSDAY, FEBRUARY 12, 2026; via Virtual Meeting Platform - Room 120	
Time	**Agency (Public Witnesses Only)**
9:30 a.m. - 6:00 p.m.	Department of Public Works

This hearing can be viewed live at https://www.brianneknadeau.com/committee.

COMMITTEE ON HEALTH **Chairperson Christina Henderson**

WEDNESDAY, FEBRUARY 18, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency (Public Witnesses Only)**
9:30 a.m. - 6:00 p.m.	Department of Health

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

WEDNESDAY, FEBRUARY 18, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency (Public Witnesses Only)**
9:30 a.m. - 6:00 p.m.	DC Public Schools
	DC Public Charter School Board

This hearing can be viewed live at www.ChairmanMendelson.com/live.

COMMITTEE ON PUBLIC WORKS & OPERATIONS **Chairperson Brianne Nadeau**

WEDNESDAY, FEBRUARY 18, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
10:30 a.m. - 1:30 p.m.	Office of Human Rights
	Office of Contracting and Procurement

This hearing can be viewed live at https://www.brianneknadeau.com/committee.

COMMITTEE ON LOCAL DEVELOPMENT **Chairperson Wendell Felder**

WEDNESDAY, FEBRUARY 18, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency (Public Witnesses Only)**
3:00 p.m. - 6:00 p.m.	Department of Small and Local Business Development

This hearing can be viewed live at htps://youtube.com/@wendellfelder.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Charles Allen**

WEDNESDAY, FEBRUARY 18, 2026; via Virtual Meeting Platform - Room 120	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 6:00 p.m.	District Department of Transportation

This hearing can be viewed live at https://www.youtube.com/@councilmembercharlesallen/streams.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Brooke Pinto**

THURSDAY, FEBRUARY 19, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 5:00 p.m.	Fire and Emergency Medical Services
	Office of Neighborhood Safety and Engagement

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

THURSDAY, FEBRUARY 19, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 10:30 a.m.	DC Office of Zoning
10:30 a.m. - 6:00 p.m.	DC Public Schools

This hearing can be viewed live at www.ChairmanMendelson.com/live.

COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR **Chairperson Anita Bonds**

THURSDAY, FEBRUARY 19, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 5:30 p.m.	Department of Aging and Community Living
	Commission on Aging

This hearing can be viewed live at https://www.youtube.com/channel/UCgy5EojaMYGtwicWSfg9NeA.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Charles Allen**

FRIDAY, FEBRUARY 20, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency (Public Witnesses Only)**
9:30 a.m. - 6:00 p.m.	Department of Energy and the Environment
	DC Sustainable Energy Utility
	Green Finance Authority
	Commission on Climate Change and Resiliency

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON HEALTH **Chairperson Christina Henderson**

FRIDAY, FEBRUARY 20, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 3:30 p.m.	Department of Health

This hearing can be viewed live at https://www.youtube.com/@CMCHenderson/streams.

COMMITTEE ON HUMAN SERVICES **Chairperson Matthew Frumin**

FRIDAY, FEBRUARY 20, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 5:30 p.m.	Deputy Mayor for Planning and Economic Development

This hearing can be viewed live at https://www.youtube.com/@cmfrumin/streams.

COMMITTEE ON PUBLIC WORKS & OPERATIONS **Chairperson Brianne Nadeau**

TUESDAY, FEBRUARY 24, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
11:00 a.m. - 6:00 p.m.	Office of Administrative Hearings
	Department of Licensing and Consumer Protection

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

TUESDAY, FEBRUARY 24, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency (Government Witnesses Only)**
1:00 p.m. - 6:00 p.m.	Office of the Chief Financial Officer

This hearing can be viewed live at www.ChairmanMendelson.com/live.

COMMITTEE ON HUMAN SERVICES **Chairperson Matthew Frumin**

TUESDAY, FEBRUARY 24, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
2:00 p.m. - 5:30 p.m.	Office of Lottery and Gaming

This hearing can be viewed live at https://www.youtube.com/@cmfrumin/streams.

COMMITTEE ON HEALTH **Chairperson Christina Henderson**

TUESDAY, FEBRUARY 24, 2026; via Virtual Meeting Platform - Room 120	
Time	**Agency**
2:00 p.m. - 6:00 p.m.	Department of Insurance, Banking and Securities

This hearing can be viewed live at https://www.youtube.com/@CMCHenderson/streams.

COMMITTEE ON HOUSING **Chairperson Robert C. White, Jr.**

WEDNESDAY, FEBRUARY 25, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	District of Columbia Housing Authority

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

WEDNESDAY, FEBRUARY 25, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	University of the District of Columbia
	Deputy Mayor for Education
	Office of the Student Advocate
	Office of the Ombudsman for Education
	District of Columbia State Athletics
	State Board of Education
	DC Public Charter School Board **(Government Witnesses Only)**

This hearing can be viewed live at www.ChairmanMendelson.com/live.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Brooke Pinto**

WEDNESDAY, FEBRUARY 25, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Criminal Justice Coordinating Council
	Office of Police Complaints
	Metropolitan Police Department

This hearing can be viewed live at https://www.youtube.com/@cmbrookepinto.

COMMITTEE ON HUMAN SERVICES **Chairperson Matthew Frumin**

THURSDAY, FEBRUARY 26, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency (Public Witnesses Only)**
9:30 a.m. - 6:00 p.m.	Department of Human Services

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR **Chairperson Anita Bonds**

THURSDAY, FEBRUARY 26, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
9:30 a.m. - 5:30 p.m.	Office of Labor Relations and Collective Bargaining
	Public Employee Relations Board
	Department of Employment Services **(Government Witnesses Only)**

This hearing can be viewed live at https://www.youtube.com/channel/UCgy5EojaMYGtwicWSfg9NeA.

COMMITTEE ON FACILITIES **Chairperson Janeese Lewis George**

THURSDAY, FEBRUARY 26, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Office of Disability Rights
	Department on Disability Services

This hearing can be viewed live at https://www.janeeseward4.com/live.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Charles Allen**

THURSDAY, FEBRUARY 26, 2026; via Virtual Meeting Platform - Room 120	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 1:30 p.m.	Department of Energy and the Environment
	DC Sustainable Energy Utility
	Green Finance Authority
	Commission on Climate Change and Resiliency

This hearing can be viewed live at https://www.youtube.com/@councilmembercharlesallen/streams.

COMMITTEE ON PUBLIC WORKS & OPERATIONS **Chairperson Brianne Nadeau**

FRIDAY, FEBRUARY 27, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 1:30 p.m.	Office of Risk Management
	Office of the Chief Technology Officer

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Charles Allen**

FRIDAY, FEBRUARY 27, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
10:00 a.m. - 6:00 p.m.	Public Service Commission
	Office of the People's Counsel

This hearing can be viewed live at https://www.youtube.com/@councilmembercharlesallen/streams.

COMMITTEE ON LOCAL DEVELOPMENT **Chairperson Wendell Felder**

FRIDAY, FEBRUARY 27, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 1:30 p.m.	Department of Small and Local Business Development

This hearing can be viewed live at https://youtube.com/@wendellfelder.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Charles Allen**

MONDAY, MARCH 2, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	DC Water

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY **Chairperson Brooke Pinto**

MONDAY, MARCH 2, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Office of Victim Services and Justice Grants

This hearing can be viewed live at https://www.youtube.com/@cmbrookepinto.

COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR **Chairperson Anita Bonds**

MONDAY, MARCH 2, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 5:30 p.m.	Executive Office of the Mayor **(Government Witnesses Only)**
	Mayor's Office of Community Affairs **(Government Witnesses Only)**
	Office of the Senior Advisor
	Destination DC
	Office of the Inspector General

This hearing can be viewed live at https://www.youtube.com/channel/UCgy5EojaMYGtwicWSfg9NeA.

COMMITTEE ON HEALTH **Chairperson Christina Henderson**

WEDNESDAY, MARCH 4, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 1:30 p.m.	DC Health Benefit Exchange

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

WEDNESDAY, MARCH 4, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Office of the State Superintendent of Education

This hearing can be viewed live at www.ChairmanMendelson.com/live.

COMMITTEE ON LOCAL DEVELOPMENT **Chairperson Wendell Felder**

WEDNESDAY, MARCH 4, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 1:30 p.m.	RFK Community Benefits Oversight Committee

This hearing can be viewed live at htps://youtube.com/@wendellfelder.

COMMITTEE ON PUBLIC WORKS & OPERATIONS **Chairperson Brianne Nadeau**

WEDNESDAY, MARCH 4, 2026; via Virtual Meeting Platform - Room 120	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 3:30 p.m.	Department of Public Works

This hearing can be viewed live at https://www.brianneknadeau.com/committee.

COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR **Chairperson Anita Bonds**

THURSDAY, MARCH 5, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency**
9:30 a.m. - 5:30 p.m.	Board of Elections
	Office of Campaign Finance
	Office of the City Administrator

This hearing will be broadcast live on Channel 13, and streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

COMMITTEE ON FACILITIES **Chairperson Janeese Lewis George**

THURSDAY, MARCH 5, 2026; via Virtual Meeting Platform - Room 412	
Time	**Agency (Government Witnesses Only)**
9:30 a.m. - 6:00 p.m.	Department of General Services
	Department of Parks and Recreation

This hearing can be viewed live at https://www.janeeseward4.com/live.

COMMITTEE ON HOUSING **Chairperson Robert C. White, Jr.**

THURSDAY, MARCH 5, 2026; via Virtual Meeting Platform - Room 123	
Time	**Agency**
9:30 a.m. - 6:00 p.m.	Department of Housing and Community Development
	DC Housing Finance Agency

This hearing can be viewed live at https://www.youtube.com/@committeeonhousingdc/streams.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Charles Allen**

THURSDAY, MARCH 5, 2026; via Virtual Meeting Platform - Room 120	
Time	**Agency (Government Witnesses Only)**
11:30 a.m. - 2:00 p.m.	Public Service Commission
	Office of the People's Counsel

This hearing can be viewed live at https://www.youtube.com/@councilmembercharlesallen/streams.

COMMITTEE ON HUMAN SERVICES **Chairperson Matthew Frumin**

FRIDAY, MARCH 6, 2026; via Virtual Meeting Platform - Room 500	
Time	**Agency (Government Witnesses Only)**
9:30 p.m. - 6:00 p.m.	Department of Human Services

This hearing will be broadcast live on Channel 13, streamed live at www.dccouncil.gov and www.entertainment.dc.gov.

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 26-324, Pass-Through Entities Income Tax and Tax Credit on Certain S Corporations and Partnerships Amendment Act of 2025

on

Thursday, March 19, 2026 at 2:00 p.m.

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 before the Committee of the Whole on **Bill 26-324**, the "Pass-Through Entities Income Tax and Tax Credit on Certain S Corporations and Partnerships Amendment Act of 2025." The hearing will be held at **2:00 p.m. on Thursday, March 19, 2026.**

The stated purpose of Bill 26-324 is to amend Chapter 18 of Title 47 of the District of Columbia Official Code to allow a pass-through entity to elect to be taxed at the entity level for income taxes on certain S Corporations and Partnerships and to provide a tax credit for pass-through entities. Similar legislation has been adopted in numerous states, including Maryland and Virginia.

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 Tuesday, March 17, 2026**. **Testimony is limited to four 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 bstum@dccouncil.gov. 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. Witnesses will receive instructions on how to participate by Zoom prior to the hearing. If you have additional questions, please contact Blaine Stum, Deputy Committee Director, at (202) 724-8092 or bstum@dccouncil.gov.

Public witnesses may 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. That 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, April 2, 2026.

COUNCIL OF THE DISTRICT OF COLUMBIA

COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY

BROOKE PINTO, CHAIR

NOTICE OF PUBLIC HEARING ON

B26-0572 – "Child Support Improvement Amendment Act of 2026,"

B26-0599 – "Emergency Medical Services Clarification Amendment Act of 2026,"

B26-0546 – "E911 Modernization Amendment Act of 2025,"

and

B26-0480 – "Ensuring Access and Supporting Engagement (EASE) Amendment Act of 2025"

Wednesday, March 18, 2026, at 10:30 a.m.

In the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 500
and virtually via Zoom

To watch live:
Councilmember Pinto's YouTube Page (www.youtube.com/@cmbrookepinto)
Councilmember Pinto's X page (@cmbrookepinto)
Council Channel 13 (Cable Television Providers)
DC Council Website (dccouncil.gov)

On Wednesday, March 18, 2026, at 10:30 am, Councilmember Brooke Pinto, Chairwoman of the Committee on the Judiciary and Public Safety, will hold a public hearing on **B26-0572 – "Child Support Improvement Amendment Act of 2026," B26-0599 – "Emergency Medical Services Clarification Amendment Act of 2026," B26-0546 – "E911 Modernization Amendment Act of 2025," and B26-480 – "Ensuring Access and Supporting Engagement (EASE) Amendment Act of 2025."**

The hearing will be held in Room 500 of the John A. Wilson Building.

B26-0572, the "Child Support Improvement Amendment Act of 2026," would modernize the District's child support system and ensure that the entirety of child support payments are directed to the children and families for whom they are intended. The District would pass through the full amount of current child support payments collected on behalf of families receiving Temporary Assistance for Needy Families (TANF), rather than retaining all but a capped portion. In addition, the bill would modernize the period of enforceability and statute of limitations for child support collections so that custodial parents have a reasonable opportunity to collect support when it is most needed, while providing clarity and finality for non-custodial parents.

B26-0599, the "Emergency Medical Services Clarification Amendment Act of 2026," would first clarify existing law to explicitly codify that the Medical Director of the Fire and Emergency Services Department (Fire and EMS) is also the Medical Director of the Office of Unified Communications (OUC) to provide oversight, supervision, and final decision-making for all clinical aspects of pre-hospital emergency and medical services. In clarifying the duties of the Director, the bill also confers upon the Medical Director explicit authority over selecting, revising, and establishing dispatch protocols and response-plans regarding emergency and medical services as well as explicit authority over quality assurance of EMS dispatch and emergency medical services, including Continuous Quality Improvement programs. Second, the bill would codify the training requirement that within one year of being hired (or for current employees, within one year of this bill going into effect), OUC call takers and dispatchers be certified in Emergency Medical Dispatch (EMD), which is training for handling calls for emergency medical services. This change is necessary to ensure OUC has national best practices training regardless of agency leadership.

B26-0546, the "E911 Modernization Amendment Act of 2025," would modernize the District's 911 and 311 telecommunications tax and fees and would update the structure and allowable uses of the Emergency and Non-Emergency Number Telephone Calling Systems Fund. The bill would also establish an updated service fee on telecommunication services to support the District's emergency communication system.

B26-480, the "Ensuring Access and Supporting Engagement (EASE) Amendment Act of 2025," would codify the ability of Department of Corrections (DOC) residents to testify before the DC Council and engage with their ANC Commissioner; require DOC to provide access to electronic devices and internet service for residents to register as witnesses, submit written testimony, and provide oral testimony via video conference at Council hearings; mandate that DOC establish processes and policies to facilitate these abilities, including providing educational materials about the legislative process, residents' ability to participate, and how to contact their ANC Commissioner; require DOC to provide multiple free communication methods with ANC Commissioners, including video conferencing, electronic messaging, internal phone access, written correspondence, and quarterly townhall-style walkthroughs of DOC facilities; and eliminate cost barriers by providing no-cost methods for mailing testimony and correspondence to the Council.

The Committee invites the public to testify. Those who wish to do so must register using the Council's Hearing Management System at https://lims.dccouncil.gov/hearings **by 5:00 p.m. on Monday, March 16, 2026.** All public witnesses will have 3 minutes to speak. **Witnesses will have the option to testify in person or virtually**; witnesses should specify which option they are electing at the time they sign up to testify.

Witnesses who anticipate needing spoken language interpretation, or who require sign language interpretation, are requested to inform the Committee office of the need as soon as possible, but no later than 5 business days before the proceeding. We will make every effort to fulfill timely requests, although alternatives may be offered. Requests may be submitted via the Hearing Management System during registration or by contacting Ms. Aukima Benjamin, Committee Manager to the Committee on the Judiciary and Public Safety, at (202) 724-8058 or via e-mail at judiciary@dccouncil.gov. It may not be possible to fulfill requests received less than 5 business

days before the proceeding. Witnesses will receive instructions on how to participate by Zoom prior to the hearing. If you have additional questions, please contact Ms. Benjamin at the phone number or e-mail listed above.

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

The record will close at 5:30 p.m. on Wednesday, April 1, 2026.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC ROUNDTABLE

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC ROUNDTABLE

On

PR 26-512 - Commission on Out of School Time Grants and Youth Outcomes Rohan Young Confirmation Resolution of 2026

on

Friday, February 27, 2026, at 4:00 p.m.

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

Council Chairman Phil Mendelson announces a roundtable before the Committee of the Whole on **PR26-512,** "Commission on Out of School Time Grants and Youth Outcomes Rohan Young Confirmation Resolution of 2026". The roundtable will be held at 4:00 p.m. on Friday, February 27, 2026.

The stated purpose of **PR 26-512** is to appoint Rohan Young to the Commission to a term ending in November of 2027. The Commission is a public body composed of 21 government agency representatives and stakeholders to support equitable access to high-quality out-of-school-time programs for District youth. The Commission coordinates among government agencies, targets grant-making, collects and evaluates data, and considers the provision of training, capacity building, and technical assistance to out-of-school-time providers. The purpose of this roundtable is to receive testimony from government and public witnesses as to the fitness of this nominee for appointment to The Commission.

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 Wednesday, February 25, 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 by emailing cow@dccouncil.gov. 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. Witnesses will receive instructions on how to participate by Zoom prior to the hearing. If you have additional questions, please contact Hannah Kozik, Legislative Policy Advisor, at (202) 724-8137 or hkozik@dccouncil.gov. Public witnesses may participate virtually via the Internet on the Zoom Video Conference platform.

Public witnesses may 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 in advance of the hearing. Testimony will be publicly accessible after 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 p.m. on Monday, March 2, 2026.

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

COUNCILMEMBER CHRISTINA HENDERSON, CHAIRPERSON
COMMITTEE ON HEALTH
ANNOUNCES A PUBLIC ROUNDTABLE

ON

Youth Behavioral Health Crisis Response in D.C.

ON

Wednesday, March 11, 2026, 9:30 A.M.
Hybrid in Room 500 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, announces a public roundtable on Youth Behavioral Health Crisis Response in D.C. The roundtable will be held on **Wednesday, March 11, 2026, 9:30 A.M.,** hybrid in Room 500 of the John A. Wilson Building, and Virtual via Zoom.

The purpose of this roundtable is to examine the District's current approach to responding to youth behavioral health crises and identify opportunities to strengthen the youth crisis response system. The roundtable will focus on how the District coordinates crisis response across systems, including schools, the Department of Youth Rehabilitation Services (DYRS), and the Child and Family Services Agency (CFSA), and whether youth receive timely, trauma-informed, and developmentally appropriate care.

The roundtable will also examine the capacity and effectiveness of key crisis response programs, including the Child and Adolescent Mobile Psychiatric Service (ChAMPS) and the Community Response Team (CRT), and the availability of community-based services to prevent crises and support youth recovery. The Committee will explore whether the District has sufficient trauma-informed services, stabilization options, and step-down supports for youth returning from Psychiatric Residential Treatment Facilities (PRTFs), and how the District can establish a comprehensive, coordinated, and effective youth behavioral health crisis response system.

Witnesses may appear either in-person or virtually using the Zoom platform. Unless otherwise stated, witnesses will have 3 minutes to testify. The public should sign up at

https://lims.dccouncil.gov/Hearings by 5pm on Tuesday, March 9, 2026. **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 Ashley Strange, Legislative Assistant at astrange@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 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 at the link above. The record will close at 5:00pm on Wednesday, March 25, 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 26-0047 Grant Budget Modification as of February 13, 2026

RECEIVED: 14-day review begins February 20, 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. 26-0103: Request to reprogram Capital funds budget authority and allotment in the amount of $385,000 within the Department of Behavioral Health (DBH) was filed in the Office of the Secretary Friday February 20, 2026. This reprogramming is required to support the implementation of the Electronic Grants Management System (EGMS) services provided by DBH, for a modern, centralized grants management system.

RECEIVED: 14-day review begins February 23, 2026

Reprog. 26-0104: Request to reprogram Capital funds budget authority and allotment in the amount of $5,912,217 within the Department of Behavioral Health (DBH) was filed in the Office of the Secretary Friday February 20, 2026. This request reprograms capital funds from several system upgrades and improvements projects related to Saint Elizabeth's Hospital to a newly established capital project.

RECEIVED: 14-day review begins February 23, 2026

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE OF RE-REFERRED PROPOSED LEGISLATION

The following bills were published as referred proposed legislation, but the legislation has now been re-referred:

B26-14, "Tax and Revenue Commission Establishment Amendment Act of 2025"

Re-referred solely to the Committee of the Whole.

B26-15, "Quasi-Governmental Affordable Housing Production Amendment Act of 2025"

Re-referred to Committee on Human Services with comments from the Committee on Housing.

B26-24, "Social Determinants of Health Spending Amendment Act of 2025"

Re-referred solely to the Committee on Health.

B26-26, "Theatrical Wrestling Regulation Amendment Act of 2025"

Re-referred to the Committee on Youth Affairs.

B26-51, "Comprehensive Cannabis Legalization and Regulation Amendment Act of 2025"

Re-referred sequentially first to the Committee on the Judiciary and Public Safety and then to the Committee of the Whole.

B26-54, "Clean Hands Economic Expansion and Revitalization Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-90, "Neighborhood Management Authority Act of 2025"

Re-referred sequentially first to the Committee on Transportation and the Environment and then to the Committee on Human Services.

B26-94, "Society for Science Real Property Tax Exemption Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-99, "HIV In-Income Test Tax Exemption Amendment Act of 2025"

Re-referred to the Committee of the Whole with comments from the Committee of Health.

B26-101, "Removing Barriers and Reducing Sigma to Encourage HIV Prevention Amendment Act of 2025"

Re-referred to the Committee on Health.

B26-102, "Expanding Access to Public Restrooms Act of 2025"

Re-referred to the Committee of the Whole, Subcommittee on Local Business Development, with comments from the Committee on Facilities.

B26-103, "Fairness in Use and Negotiation for All Recreational Property Act of 2025"

Re-referred sequentially first to the Committee on Facilities through July 14, 2025, and then to the Committee on Human Services.

B26-116, "Fair Taxation of Municipal Bonds Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-118, "Support for the Capital Pride Parade Amendment Act of 2025"

Re-referred to the Committee on Public Works and Operations.

B26-121, "St. Elizabeths East Parcel 13 Extension of Disposition Authority Amendment Act of 2025"

Re-referred from the Committee of the Whole to the Committee on Human Services.

B26-124, "Utility Disconnection Protection Act of 2025"

Re-referred solely to the Committee on Transportation and the Environment.

B26-134, "Defective Deed Recordation Clarification Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-157, "Langston Slater Surplus Declaration and Disposition Approval Act of 2025"

Re-referred sequentially first to the Committee on Facilities and then to the Committee on Human Services.

B26-181, "Short-Term Disability Insurance Benefit Protection Clarification Amendment Act of 2025"

Re-referred sequentially first to the Committee on Health and then to the Committee of the Whole, with comments from the Committee on Executive Administration and Labor.

B26-184, "Helping Incentivize Returning Citizen Employment (HIRE) Amendment Act of 2025"

Re-referred to the Committee of the Whole with comments from the Committee on Executive Administration and Labor.

B26-205, "Industrial Revenue Bond Forward Commitment Program Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-215, "Residential Building Permit Classification Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-225, "Unlocking Housing at Metro Property Tax Exemption Amendment Act of 2025"

Re-referred to the Committee of the Whole with comments from the Committee on Housing.

B26-229, "Personal Tax Simplification Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-230, "Automatic Retirement Savings Act of 2025"

Re-referred sequentially first to the Committee on Executive Administration and Labor and then to the Committee of the Whole.

B26-237, "4111 Kansas Avenue NW Timeline Extension and Tax Forgiveness Act of 2025"

Re-referred to the Committee of the Whole.

B26-252, "Real Property Assessment and Appeals Schedule Revision Act of 2025"

Re-referred to the Committee of the Whole.

B26-253, "Certified Business Enterprise Program Protection Amendment Act of 2025"

Re-referred to the Committee of the Whole, Subcommittee on Local Business Development.

B26-259, "Medical Cannabis Retailer Craft Preparation Endorsement Act of 2025"

Re-referred to the Committee of the Whole.

B26-284, "Proficient Procurement Amendement Act of 2025"

Re-referred to the Committee of the Whole, Subcommittee on Local Business Development, with comments from the Committee on Public Works and Operations.

B26-314, "Local News Funding Act of 2025"

Re-referred sequentially first to the Committee on Human Services and then to the Committee of the Whole.

B26-324, "Pass-Through Entities Income Tax and Tax Credit on Certain S Corporations and Partnerships Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-346, "Medical Cannabis Conditional Licensure Extension Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-360, "Senior Property Tax Aggregation Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-369, "Nightlife Noise Balance Amendment Act of 2025"

Re-referred to the Committee on Public Works and Operations.

B26-379, "Poker and Blackjack Gaming Authorization Act of 2025"

Re-referred to the Committee on Human Services.

B26-416, "Displacement Prevention Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-425, "St. Elizabeths East Parcels 7, 8 and 9 Surplus Declaration and Disposition Approval Act of 2025"

Re-referred sequentially first to the Committee on Facilities and then to the Committee on Human Services.

B26-427, "Cybersecurity and Accountability Act of 2025"

Re-referred to the Committee on Health.

B26-445, "Small Retailer Property Tax Credit Expansion Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-448, "Uniform Mortgage Modification Act of 2025"

Re-referred to the Committee on Health.

B26-464, "Small and Local Business Credit Enhancement Amendment Act of 2025"

Re-referred to the Committee of the Whole, Subcommittee on Local Business Development.

B26-466, "St. Elizabeths East Parcel 13 Term Sheet Amendment Act of 2025"

Re-referred to the Committee on Human Services.

B26-467, " Equitable Access to Financial Services Act of 2025"

Re-referred to the Committee of the Whole.

B26-469, "Expanding Downtown Affordable Housing Options Act of 2025"

Re-referred sequentially first, to the Committee on Human Services then to the Committee of the Whole, with comments from the Committee on Housing.

B26-470, "Innovate DC Amendment Act of 2025"

Re-referred to the Committee on Human Services.

B26-471, "Special Events Permit Process Simplification Act of 2025"

Re-referred to the Committee on Human Services with comments from the Committee on Judiciary and Public Safety.

B26-472, "Vacant Space Art Activation Program Act of 2025"

Re-referred to the Committee on Human Services.

B26-473, "Youth Banking Amendment Act of 2025"

Re-referred to the Committee on Health.

B26-476, "Disabled Veterans Complete Property Tax Exemption Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-478, "Renter Tax Credit Expansion Amendment Act of 2025"

Re-referred to the Committee of the Whole with comments from the Committee on Housing.

B26-484, "Fairness and Accuracy in Real Property Tax Assessments Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-485, "Art Gallery Tax Exemption Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-486, "Expanding Fertility Treatment Options Amendment Act of 2025"

Re-referred solely to the Committee on Health.

B26-487, "Job Growth Incentive Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-493, "Strengthening Tenant Receivership and Oversight for Neighborhood Growth (STRONG) Homes Amendment Act of 2025"

Re-referred solely to the Committee of the Whole.

B26-522, "Medical Cannabis Process Improvement Amendment Act of 2025"

Re-referred solely to the Committee of the Whole.

B26-530, "St. Elizabeths East Parcel 6 Surplus Declaration and Disposition Approval Act of 2025"

Re-referred sequentially first to the Committee on Facilities and then to the Committee on Human Services.

B26-531, "Urban Agriculture Amendment Act 2025"

Re-referred to the Committee of the Whole.

B26-532, "Senior Citizen Tax Cap Transfer Amendment Act of 2025"

Re-referred to the Committee of the Whole.

B26-544, "Pets in Housing Amendment Act of 2025"

Re-referred sequentially first to the Committee on Health and then to the Committee on Housing.

B26-547, "Green Death Care Option Amendment Act of 2025"

Re-referred to the Committee on Health.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026

License No.:	ABRA-108303
Licensee:	Allure Lounge, LLC
Trade Name:	Allure Lounge
License Class:	Retailer's Class "C" Tavern
Address:	711 H Street, N.E.
Contact:	Zerihun Amente (202) 297-4949, Zamente@yahoo.com

WARD 6 ANC 6A SMD 6A02

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 May 4, 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 to add (3) Sports Wagering betting kiosks inside premises on the main floor and in the bar area.

HOURS OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

Monday through Thursday 11am – 1am, Friday and Saturday 11am – 2am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
License No.:	ABRA-090240
Licensee:	Balkan Concepts, LLC
Trade Name:	Ambar
License Class:	Retailer's Class "C" Restaurant
Address:	523 8th Street, S.E.
Contact:	Ivan Iricanin: (571) 503-0612, uros@streetguyshospitality.com

WARD 6 ANC 6B SMD 6B03

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 May 4, 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 22 seats.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES AND SUMMER GARDEN
Sunday through Thursday 9am – 2am, Friday and Saturday 9am – 3am

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SIDEWALK CAFÉ
Sunday through Thursday 9am – 11pm, Friday and Saturday 9am – 12am

HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES
Sunday through Thursday 9am – 2am, Friday and Saturday 9am – 3am

PROPOSED HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR STREATERY
Sunday 10am – 10pm, Monday through Friday 12pm – 10pm, and Saturday 10am – 11pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT**

Placard Posting Date:	**February 27, 2026
Protest Petition Deadline:	**April 13, 2026
Roll Call Hearing Date:	**May 4, 2026
Protest Hearing Date:	**June 10, 2026

License No.:	ABRA-135103
Licensee:	Donut 906, LLC
Trade Name:	Café Joy
License Class:	Retailer's Class "C" Restaurant
Address:	906 P Street, N.W.
Contact:	Sergey Nikolaev: (202) 957-2434, sergey.s.nikolaev@gmail.com

WARD 2 ANC 2G SMD 2G02

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 **May 4, 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 ****June 10, 2026 at 1:30 p.m.**

NATURE OF OPERATION

A Class "C" Restaurant with 20 seats and Total Occupancy Load of 29 inside the premises. Summer Garden Endorsement with 30 seats. Overall Total Occupancy Load of 69 throughout entire premises.

HOURS OF OPERATION FOR INSIDE PREMISES

Sunday 8am – 2am, Monday through Thursday 7am – 2am, Friday 7am – 3am
Saturday 8am – 3am

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

Sunday 8am – 2am, Monday through Friday 7am – 2am, and Saturday 8am – 3am

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

Sunday 8am – 2am, Monday through Thursday 7am – 2am, Friday 7am – 3am,
Saturday 8am – 3am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date:	**February 13, 2026
Protest Petition Deadline:	**March 30, 2026
Roll Call Hearing Date:	**April 20, 2026
Protest Hearing Date:	**June 3, 2026

License No.:	ABRA-135103
Licensee:	Donut 906, LLC
Trade Name:	Café Joy
License Class:	Retailer's Class "C" Restaurant
Address:	906 P Street, N.W.
Contact:	Sergey Nikolaev: (202) 957-2434, sergey.s.nikolaev@gmail.com

WARD 2 ANC 2G SMD 2G02

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 **April 20, 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 ****June 3, 2026 at 1:30 p.m.**

NATURE OF OPERATION

A Class "C" Restaurant with 20 seats and Total Occupancy Load of 29 inside the premises. Summer Garden Endorsement with 30 seats. Overall Total Occupancy Load of 69 throughout entire premises.

HOURS OF OPERATION FOR INSIDE PREMISES

Sunday 8am – 2am, Monday through Thursday 7am – 2am, Friday 7am – 3am
Saturday 8am – 3am

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

Sunday 8am – 2am, Monday through Friday 7am – 2am, and Saturday 8am – 3am

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

Sunday 8am – 2am, Monday through Thursday 7am – 2am, Friday 7am – 3am,
Saturday 8am – 3am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
NOTICE OF PUBLIC HEARING

****CORRECTION**

Placard Posting Date:	February 20, 2026
Protest Petition Deadline:	April 6, 2026
Roll Call Hearing Date:	April 27, 2026
License No.:	ABRA-118175
Licensee:	Culture L.L.C.
Trade Name:	Culture / Vera
License Class:	Retailer's Class "C" Tavern
Address:	2002 – 2006 Fenwick Street, N.E.
Contact:	Matthew T. Minora: **(202) 625-7700, mminora@malliosobrien.com

WARD 5 ANC 5D SMD 5D02

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 April 27, 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 Change of Interior Hours of Operation and Live Entertainment.

CURRENT HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES
Sunday through Thursday 8am – 2am, Friday and Saturday 8am – 3am
CURRENT HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SUMMER GARDEN
Sunday through Thursday 8am – 2am, Friday and Saturday 8am – 3am
CURRENT HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY
Sunday through Saturday 8am – 1am
CURRENT HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES
Sunday through Thursday 6pm – 2am, Friday and Saturday 6pm – 3am

****PROPOSED HOURS OF OPERATION INSIDE PREMISES**
Monday 12am – 2am and 8am – 2am, Tuesday through Thursday 8am – 2am, Friday 8am – 12am, Saturday and Sunday 12am – 12am (24-hour operations)
****PROPOSED HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES**
Monday 12am – 2am and 6pm – 2am, Tuesday through Thursday 6pm – 2am, Friday 8am – 12am, Saturday and Sunday 12am – 12am (24-hour entertainment)

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date:	February 20, 2026
Protest Petition Deadline:	April 6, 2026
Roll Call Hearing Date:	April 27, 2026
License No.:	ABRA-118175
Licensee:	Culture L.L.C.
Trade Name:	Culture / Vera
License Class:	Retailer's Class "C" Tavern
Address:	2002 – 2006 Fenwick Street, N.E.
Contact:	Matthew T. Minora: **(202) 625-7706, mminora@malliosobrien.com

WARD 5 ANC 5D SMD 5D02

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 April 27, 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 Change of Hours.

CURRENT OF OPERATION, ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES
Sunday through Thursday 8am – 2am, Friday and Saturday 8am – 3am
HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SUMMER GARDEN
Sunday through Thursday 8am – 2am, Friday and Saturday 8am – 3am
HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY
Sunday through Saturday 8am – 1am
CURRENT HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES
Sunday through Thursday 6pm – 2am, Friday and Saturday 6pm – 3am

****PROPOSED HOURS OF OPERATION INSIDE PREMISES**
Sunday 12am – 2am, Monday through Thursday 8am – 2am, Friday 8am – 12am, Saturday 12am – 12am (24 hours)
****PROPOSED HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES**
Sunday 12am – 2am, Monday through Thursday 6pm – 2am, Friday 8am – 12am, Saturday 12am – 12am (24 hours)

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
License No.:	ABRA-126719
Licensee:	Big Slice, LLC
Trade Name:	Honeys
License Class:	Retailer's Class "D" Restaurant
Address:	5027 Connecticut Avenue, N.W.
Contact:	Diana Corzo: (202) 686-7600, dcorzo@theveritaslawfirm.com

WARD 3 ANC 3F SMD 3F06

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 May 4, 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

Requesting a Class Change from a Retailer's Class "D" Restaurant to a Retailer Class "C" Restaurant.

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

Sunday through Saturday 8am – 11:30pm

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

Sunday through Saturday 8am – 11pm

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY

Sunday through Saturday 8am – 11:30pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
License No.:	ABRA-121497
Licensee:	TYM Merger Company, LLC
Trade Name:	Jaleo
License Class:	Retailer's Class "C" Restaurant
Address:	480 7th Street, N.W.
Contact:	Daniel Moline: (202) 628-7949, all.jag.legal@joseandres.com

WARD 2 ANC 2C SMD 2C03

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 May 4, 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 24 seats.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES
Sunday through Thursday 10am – 2am, Friday and Saturday 10am – 3am

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SIDEWALK CAFÉ
Sunday 10am – 1:30am, and Monday through Saturday 10am – 11:30pm

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

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
Protest Hearing Date:	June 10, 2026
License No.:	ABRA-135262
Licensee:	Winter Hill DC, LLC
Trade Name:	La Merna
License Class:	Retailer's Class "C" Tavern
Address:	2153 P Street, N.W.
Contact:	Matt Minora, Esq: (202) 625-7700, mminora@malliosobrien.com

WARD 2 ANC 2B SMD 2B02

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 May 4, 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 **June 10, 2026 at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Tavern serving Italian-American foods with seating for 55 and a Total Occupancy Load of 75. Sidewalk Cafe with seating for 24 and a total occupancy load of 25. Carry-out and Delivery Endorsement. Holiday Extension of Hours Endorsement.

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

Sunday through Thursday 10am – 12am, Friday and Saturday 10am – 3am

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

Sunday through Saturday 10am – 12am

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY

Sunday through Saturday 10am – 12am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
License No.:	ABRA-109951
Licensee:	Chef Mikko LLC
Trade Name:	Mikko Nordic Fine Food
License Class:	Retailer's Class "C" Restaurant
Address:	1636 R Street, N.W.
Contact:	Mikko Kusonen: (202) 413-6419, mikko@chefmikko.com

WARD 2 ANC 2B SMD 2B03

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 May 4, 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 20 seats.

HOURS OF OPERATION FOR INSIDE PREMISES
Sunday 9am – 12am, Monday through Friday 8am – 2am, and Saturday 9am – 2am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES
Sunday 9am – 12am, Monday through Saturday 9am – 2am

HOURS OF OPERATION FOR SIDEWALK CAFÉ
Sunday 9am – 11pm, Monday through Thursday 7am – 11pm, Friday and Saturday 7am – 12am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SIDEWALK CAFÉ
Sunday 9am – 11pm, Monday through Thursday 8am – 11pm, Friday 8am – 12am, and Saturday 9am – 12am

PROPOSED HOURS OF OPERATION FOR STREATERY
Sunday 9am – 12am, Monday through Friday 8am – 2am, and Saturday 9am – 2am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR STREATERY
Sunday 9am – 11pm, Monday through Friday 8am – 11pm, and Saturday 9am – 11pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026

License No.:	ABRA-075944
Licensee:	Oyamel DC, LLC
Trade Name:	Oyamel
License Class:	Retailer's Class "C" Restaurant
Address:	401 7th Street, N.W.
Contact:	Daniel Moline: (202) 628-1005, all.jag.legal@joseandres.com

WARD 2 ANC 2C SMD 2C03

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 May 4, 2026 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abra.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 AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES
Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SIDEWALK CAFÉ
Sunday through Thursday 11:30am – 2am, Friday and Saturday 11:30am – 3am

HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES
Sunday through Thursday 6pm – 2am, Friday and Saturday 6pm – 3am

PROPOSED HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR STREATERY
Sunday through Saturday 11:30am – 12am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
Protest Hearing Date:	June 10, 2026
License No.:	ABRA-135195
Licensee:	Peruvian Brothers NC LLC
Trade Name:	Peruvian Brothers
License Class:	Retailer's Class "C" Restaurant
Address:	660 North Capitol Street, N.W.
Contact:	Mario Lanzone: (571) 425-5525, info@peruvianbrothers.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 May 4, 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 **June 10, 2026 at 1:30 p.m.**

NATURE OF OPERATION
A new class "C" Restaurant with 46 seats. Total Occupancy Load of 69. Alcohol Carry-out and Delivery Endorsement.

HOURS OF OPERATION
Sunday through Saturday 8am – 8pm

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION
Sunday through Saturday 11am – 8pm

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY
Sunday through Saturday 8am – 8pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
2/27/2026

Notice is hereby given that:
License Number: ABRA-116771 **License Class/Type: C Restaurant**
Applicant: Pho Viet Restaurant, Inc.
Trade Name: Pho Viet USA
SMD: 6C04

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

333 H STREET NE, WASHINGTON, DC 20002

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
4/13/2026

A HEARING WILL BE HELD ON:
5/4/2026

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	Hours of Entertainment
Sunday:	11am - 10pm	11am - 10pm	-
Monday:	11am - 10pm	11am - 10pm	-
Tuesday:	11am - 10pm	11am - 10pm	-
Wednesday:	11am - 10pm	11am - 10pm	-
Thursday:	11am - 10pm	11am - 10pm	-
Friday:	11am - 10pm	11am - 10pm	-
Saturday:	11am - 10pm	11am - 10pm	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
License No.:	ABRA-078949
Licensee:	JBS. Inc
Trade Name:	Rocklands Barbeque and Grilling Company
License Class:	Retailer's Class "C" Restaurant
Address:	2416 Wisconsin Avenue, N.W.
Contact:	John Shedden: (202) 333-2558, john@rocklands.com

WARD 3 ANC 3B SMD 3B02

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 May 4, 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 18 seats.

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

Sunday 10pm – 9pm, and Monday through Saturday 11am– 10 pm

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR STREATERY

Sunday through Thursday 11am–8pm, Friday and Saturday 11am–9pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
License No.:	ABRA-103008
Licensee:	Service Bar, LLC
Trade Name:	Service Bar
License Class:	Retailer's Class "C" Tavern
Address:	926 U Street, N.W.
Contact:	Glendon Hartley: (202) 462-7232, glendon@servicebardc.com

WARD 1 ANC 1B SMD 1B02

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on May 4, 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 28 seats.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES AND FOR SUMMER GARDEN
Sunday through Thursday 9am – 2am, Friday and Saturday 9am – 3am

HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES
Sunday through Thursday 6pm – 2am, Friday and Saturday 6am – 3am

PROPOSED HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR STREATERY
Sunday through Thursday 9am – 2am, Friday and Saturday 9am – 3am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
License No.:	ABRA-120105
Licensee:	Silver Diner Half Street, LLC
Trade Name:	Silver Diner/Silver Social
License Class:	Retailer's Class "C" Restaurant
Address:	1250 Half Street, S.E.
Contact:	Robert Giaimo: (202) 536-1599, hhiller@silverdiner.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 May 4, 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 33 seats.

HOURS OF OPERATION FOR INSIDE PREMISES, SUMMER GARDEN, AND SIDEWALK CAFÉ
Sunday through Thursday 7am –12am, Friday and Saturday 7am – 2am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES AND SUMMER GARDEN
Sunday through Thursday 8am – 12am, Friday and Saturday 8am – 2am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SIDEWALK CAFÉ
Sunday through Tuesday 8am – 12am, Wednesday through Thursday 7am – 12am, Friday and Saturday 7am – 2am

PROPOSED HOURS OF OPERATION FOR STREATERY
Sunday through Thursday 7am – 11pm, Friday and Saturday 7am – 2am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR STREATERY
Sunday through Thursday 8am – 11pm, Friday and Saturday 8am – 2am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
License No.:	ABRA-125456
Licensee:	Spicy Water African Grill, LLC
Trade Name:	Spicy Water
License Class:	Retailer's Class "D" Restaurant
Address:	2019 11th Street, N.W.
Contact:	Duraine Kouassi: (202) 740-8101, durainek@gmail.com

WARD 1 ANC 1B SMD 1B02

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on May 4, 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

Requesting a Class Change from a Retailer's Class "D" Restaurant to a Retailer Class "C" Restaurant.

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

Sunday 12pm – 10pm, Monday 11am – 9pm, Tuesday and Wednesday 11am – 10pm, Thursday 11am – 11pm, Friday 11am – 2am, Saturday 11:30am – 2am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	February 27, 2026
Protest Petition Deadline:	April 13, 2026
Roll Call Hearing Date:	May 4, 2026
License No.:	ABRA-121932
Licensee:	Yellow Gtown, LLC
Trade Name:	Yellow
License Class:	Retailer's Class "C" Restaurant
Address:	1524 Wisconsin Avenue, N.W.
Contact:	Michael Rafidi: (717) 253-6534, georgetown@yellowthecafe.com

WARD 2 ANC 2E SMD 2E03

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 May 4, 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 18 seats.

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

Sunday through Thursday 8am – 11pm, Friday and Saturday 8am – 12am

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR STREATERY

Sunday through Thursday 8am – 11pm, Friday and Saturday 8am – 12am

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances (ODAI), pursuant to the authority set forth in Section 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968, as amended (82 Stat. 1203; D.C. Official Code § 2-559 (2016 Repl.)), hereby gives notice of a correction to Chapter 65 (Cannabis Testing) of Subtitle C (Medical Cannabis) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

This Errata Notice to the Notice of Final Rulemaking, issued by the Alcoholic Beverage and Cannabis Administration at 73 DCR 002136 on February 20, 2026, makes the following correction.

The Notice of Final Rulemaking incorrectly numbered the section titled "Result Reporting" as Section 6510. However, that section number had already been assigned to a different rule. This errata notice corrects this inadvertent error, assigning the Result Reporting rule as Section 6511 and re-numbering subsections accordingly. Additions are shown in **bold and underline**; deletions are shown in **bold and strikethrough**):

6511~~0~~ RESULT REPORTING

651**1~~0~~**.1 A testing laboratory shall issue results for each sample tested which shall address the following:

(a) Whether the chemical profile of the medical cannabis sample conforms to the accepted variety for the following compounds:

(1) Delta-9-tetrahydrocannabinol (THC);

(2) Delta-9-tetrahydrocannabinolic acid (THCA);

(3) Cannabidiol (CBD);

(4) Cannabidiolic acid (CBDA);

(5) The terpenes described in the most current version of the cannabis inflorescence monograph published by the American Herbal Pharmacopeia (AHP);

(6) Cannabigerol (CBG); and

(7) Cannabinol (CBN);

(b) That the presence of the following contaminants do not exceed the levels as provided in § 6409 of this subtitle;

(1) Heavy metals; and

(2) Pesticide residue;

(c) The presence of microbial impurities, including but not limited to:

(1) The total aerobic microbial count (TAMC);

(2) The total combined yeast and molds count (TYMC);

(3) Pseudomonas aeruginosa (P. aeruginosa);

(4) Aspergillus spp;

(5) Staphylococcus aureus (S. aureus);

(6) Aflatoxin B_1, B_2, G_1 and G_2; and

(7) Ochratoxin A;

(d) Whether the batch is within specification for the characteristics of:

(1) Odor;

(2) Appearance;

(3) Fineness; and

(4) Moisture content.

651**1**0.2 The testing laboratory shall enter results into the Board's electronic tracking system within twenty-four (24) hours from the date of the test.

651**1**0.3 The level of contaminants in medical cannabis and medical cannabis products shall not exceed the standards provided in this subtitle, and if any of the standards are exceeded, the cultivation center shall not sell or otherwise transfer any portion of the batch of medical cannabis or medical cannabis products to a dispensary.

651**1**0.4 In the event the testing laboratory results determine that the sample does not meet the standards required in this subtitle, the cultivation center may seek approval from the Board to reprocess the batch and/or harvest. If written approval is granted by the Board, the cultivation center may:

(a) Reprocess the batch and/or harvest according to their SOPs; and

(b) Have the reprocessed product tested by the same testing laboratory.

651**1**~~0~~.5 Upon receiving notification in the tracking system that the batch failed to pass testing, a cultivation center shall immediately quarantine the non-conforming batch until any reprocessing and testing is performed; or until the batch is destroyed by MPD.

651**1**~~0~~.6 For purposes of this section, quarantine means that the batch shall be separated from all other inventory and the quarantine status shall be indicated in the tracking system. The quarantine shall be lifted only by the Board in writing, and only upon receipt of test results in the inventory tracking system documenting that the batch conforms to the required testing standards.

651**1**~~0~~.7 The testing laboratory shall notify the Board of results that do not meet the standards and specifications set forth in this subtitle within twenty-four (24) hours of completion of analysis.

651**1**~~0~~.8 A cultivation center shall release a batch and/or harvest for sale only if the results from the laboratory testing facility have determined that the sample has met the standards and specifications set forth in this subtitle.

This Errata Notice's correction to the Notice of Final Rulemaking is non-substantive in nature and does not alter the intent, application, or purpose of the proposed rules. The rules are effective upon the original publication date of February 20, 2025.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq., Administrator, Office of Documents and Administrative Issuances, 899 North Capital Street, NE, Suite 8700, Washington, D.C. 20002, email at victor.reid@dc.gov, or via telephone at (202) 727-5090.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING

RM7-2025-01, IN THE MATTER OF 15 DCMR CHAPTER 7 – FREEDOM OF INFORMATION ACT REQUESTS,

1. The Public Service Commission of the District of Columbia (Commission), pursuant to its authority under D.C. Official Code Sections 2-505 and 34-802,[1] hereby gives notice of its final rulemaking action adopting amendments to Chapter 7 (Freedom of Information Act Requests) of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations (DCMR).

2. This Notice of Final Rulemaking (NOFR) makes revisions to Sections 701, 702, and 707 of the Commission's Freedom of Information Act (FOIA) rules. The sections below have been updated to better align the Commission's FOIA rules with the District of Columbia's FOIA statute and current practices.[2]

3. On October 10, 2025, the Commission published a Notice of Proposed Rulemaking (NOPR) in the *District of Columbia Register* proposing the adoption of amended Chapter 7.[3] No comments were filed in response to the NOPR, and no substantive changes have been made to the rules as proposed. Accordingly, the Commission adopted the rules as final at the February 18, 2026, open meeting, and will become effective upon their publication in the *District of Columbia Register*.

The modifications to Sections 701, 702, and 707 are shown by **underline** and the deletions by ~~**strikethrough**~~.

Chapter 7, FREEDOM OF INFORMATION ACT REQUESTS, of Title 15 DCMR, PUBLIC UTILITIES AND CABLE TELEVISION, is amended as follows:

Section 701, REQUEST FOR RECORDS, is amended as follows:

701.1 A request for copies of Commission records or access to Commission records pursuant to the FOIA Act may be made orally or in writing, with the following stipulations:

(a) The Commission may require an oral request to be reduced to writing and submitted to the Commission ~~**Secretary's Office**~~ **FOIA Officer** for **processing** ~~**expeditious review**~~.

[1] D.C. Code §§ 2-505 and 34-802.

[2] D.C Code §§ 2-531 *et seq*.

[3] 72 *DC Reg.* 011124 – 011126 (October 10, 2025).

(b) Written requests that are submitted via mail shall prominently indicate "FOIA Request" on the envelope.

(c) Written requests submitted via electronic mail shall indicate "FOIA Request" in the subject line.

(d) All requests should include a daytime telephone number, email address, or mailing address, so that the FOIA Officer may contact the requestor for further information if necessary.

(e) All written FOIA requests shall be sent to the FOIA Officer for processing.

~~**701.2 All written FOIA requests shall be sent to the Commission Secretary's Office for docketing and processing. After the FOIA request has been docketed, the FOIA Officer will be notified.**~~

701.**2**~~**3**~~ A request shall reasonably describe the desired record. Where possible, specific information regarding dates, files, titles, file designation, or other identifying information, shall be supplied.

701.**3**~~**4**~~ Where the information supplied by the requesting party is not sufficient to permit the identification and location of the record with reasonable efforts, the person requesting the record shall be contacted and asked to supplement the request with further information. Every reasonable effort shall be made by the Commission's employees to assist in the identification and location of requested records.

Section 702, TIME LIMITATIONS, is amended as follows:

…

702.2 For purposes of this section, a request is deemed "received" when ~~**the FOIA Officer receives**~~ the **record of the** request **is docketed by the Commission Secretary's Office** ~~**submitted in compliance with § 701**~~. If the requester must be contacted for additional information, as set forth in § 701.3, the request is deemed received when the FOIA Officer receives the additional information.

…

Section 707, MAINTENANCE OF RECORDS, is amended as follows:

707.1 The ~~**Secretary of the**~~ Commission shall maintain ~~**a FOIA Docket of requests**~~ **all letters of denial of requests** for public inspection.

707.2 Where the release of the identity of the person requesting the record, or other identifying details related to the request would constitute a clearly unwarranted invasion of personal privacy, the ~~**Secretary**~~ **FOIA Officer** shall delete identifying

details from the copies of the documents maintained according to Section 707.1 ~~**public files.**~~

…

A TRUE COPY: **BY DIRECTION OF THE COMMISSION:**

CHIEF CLERK: **BRINDA WESTBROOK-SEDGWICK**
COMMISSION SECRETARY

DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF TENTH EMERGENCY AND PROPOSED RULEMAKING

The Stabilization and Reform Board (Board) of the District of Columbia Housing Authority (DCHA), pursuant to the authority set forth in the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-203 and § 6-210.02), hereby gives notice of the adoption, on an emergency basis, of the following amendments to Chapters 60 (Low Rent Housing: General Provisions), 61 (Public Housing: Admission and Recertification), 62 (Low Rent Housing: Rent and Lease), 63 (Low Rent Housing: Grievance Procedures), 64 (Low Rent Housing: Public Housing Transfer Policy), 65 (Low Rent Housing: Maintenance and Inspection), 66 ([Reserved]), 67 ([Reserved]), 68 ([Reserved]), 70 ([Reserved]), 73 ([Reserved]), 74 (Reasonable Accommodation Policies and Procedures), 77 ([Reserved]), 78 ([Reserved]), 79 ([Reserved]), 80 ([Reserved]) and 81 (Rental Subsidy Programs: Housing Quality Standards and Inspections) to Title 14 (Housing) of the District of Columbia Municipal Regulations (DCMR).

The proposed rulemaking amends and restates the existing Chapters 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, 73, 74, 77, 78, 79, 80 and 81 to Title 14 (Housing) of the District of Columbia Municipal Regulations (DCMR) to address and remediate the issues identified by the United States Department of Housing and Urban Development (HUD) in its 2022 assessment of DCHA.

On April 12, 2023, the First Notice of Emergency and Proposed Rulemaking was adopted by Board. The emergency rules became effective on that date and were published in the *District of Columbia Register* on May 5, 2023 at 70 DCR 006436.

On August 2, 2023, the Second Notice of Emergency and Proposed Rulemaking was adopted by the Board. The emergency rules became effective on that date and were published in the *District of Columbia Register* on September 1, 2023 at 70 DCR 011658.

On December 13, 2023, the Third Notice of Emergency and Proposed Rulemaking was adopted by the Board and became effective on that date and was published in the *District of Columbia Register* on December 22, 2023 at 70 DCR 016152.

On April 10, 2024, the Fourth Notice of Emergency and Proposed Rulemaking was adopted by the Board and became effective on that date and was published in the *District of Columbia Register* on April 26, 2024 at 71 DCR 004700.

On June 12, 2024, the Fifth Notice of Emergency and Proposed Rulemaking was adopted by the Board and became effective on that date and was published in the *District of Columbia Register* on July 12, 2024 at 71 DCR 008051.

On October 9, 2024, the Sixth Notice of Emergency and Proposed Rulemaking was adopted by the Board and became effective on that date and was published in the *District of Columbia Register* on November 8, 2024 at 71 DCR 013616.

On January 27, 2025, the Seventh Notice of Emergency and Proposed Rulemaking was adopted by the Board and became effective on that date and was published in the *District of Columbia Register* on February 21, 2025 at 72 DCR 001698.

On May 14, 2025, the Eighth Notice of Emergency and Proposed Rulemaking was adopted by the Board and became effective on that date and was published in the *District of Columbia Register* on February 13, 2026 at 73 DCR 001544.

On September 10, 2025, the Ninth Notice of Emergency and Proposed Rulemaking was adopted by the Board and became effective on that date and was published in the *District of Columbia Register* on February 13, 2026 at 73 DCR 001777.

On December 10, 2025, the Tenth Notice of Emergency and Proposed Rulemaking was adopted by the Board and became effective on that date. These emergency rules will remain in effect for up to one hundred twenty (120) days from the date of adoption, or upon publication of a Notice of Final Rulemaking in the *District of Columbia Register*, whichever occurs first.

Per D.C. Official Code § 2-505(c) emergency rulemakings are promulgated when the action is necessary for the immediate preservation of the public peace, health, safety, welfare, or morals. In reissuing the proposed rulemaking, DCHA will continue to engage with community stakeholders, advocates, residents, and resident councils regarding the proposed changes before adoption of Final Regulations which DCHA believes will occur prior to the expiration of this rulemaking.

Chapter 60, LOW RENT HOUSING: GENERAL PROVISIONS, of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 60 OVERVIEW OF THE PUBLIC HOUSING PROGRAM AND ADMISSIONS AND CONTINUING OCCUPANCY PLAN

6000 INTRODUCTION

6000.1 The District of Columbia Housing Authority (DCHA) receives its subsidy for the public housing program from the United States Department of Housing and Urban Development (HUD). DCHA is not a federal department or agency. DCHA is a governmental or public body, created and authorized by state law per DC Code § 6-202 to develop and operate housing and housing programs for low-income families. DCHA enters into an Annual Contributions Contract (ACC) with HUD to administer the public housing program. DCHA must ensure compliance with federal laws, regulations, and notices and must establish policies and procedures to clarify federal requirements and to ensure consistency in program operation.

6000.2 This chapter contains information about DCHA and its programs with emphasis on the public housing program. It also contains information about the purpose, intent, and use of the Admissions and Continuing Occupancy Plan (ACOP or Policy). There are three (3) sections to this chapter:

(a) The District of Columbia Housing Authority. Sections §§ 6000.1 to 6001.9 includes a description of DCHA, its jurisdiction, its programs, and its mission and intent;

(b) The Public Housing Program. Sections §§ 6002.1 to 6002.17 contains information about public housing operation, roles and responsibilities, and partnerships; and

(c) The Admissions and Continued Occupancy Plan. Sections §§ 6003.1 to 6003.8 sets forth the purpose and organization of the plan and its revision requirements.

6001 DISTRICT OF COLUMBIA HOUSING AUTHORITY

6001.1 This § 6001 describes DCHA's creation and authorization, the general structure of the organization, and the relationship between the DCHA Board of Commissioners (Board) and DCHA staff.

6001.2 Public housing is funded by the federal government and administered by DCHA for the jurisdiction of the District of Columbia.

6001.3 The Board governs DCHA.

6001.4 Commissioners are appointed in accordance with District law. The Board establishes policies under which DCHA conducts business.

6001.5 [RESERVED]

6001.6 The principal staff member of DCHA is the Executive Director (ED), who is selected and hired by the Board. The ED oversees the daily operations of DCHA and is directly responsible for carrying out the policies established by the Board.

6001.7 [RESERVED]

6001.8 [RESERVED]

6001.9 [RESERVED]

6002 THE PUBLIC HOUSING PROGRAM

6002.1 The intent of § 6002 is to provide an overview of public housing.

6002.2 The United States Housing Act of 1937 (1937 Act), as amended, is the primary statute governing the public housing program.

6002.3 [RESERVED]

6002.4 [RESERVED]

6002.5 [RESERVED]

6002.6 HUD contracts with DCHA to administer programs in accordance with HUD regulations and provides public housing subsidy to DCHA. DCHA must create written policies that are consistent with HUD regulations, as may be modified by DCHA's Moving to Work (MTW) Agreement and MTW Plans. Among these policies is DCHA's ACOP. The ACOP must be approved by the Board.

(a) DCHA is a participant in the MTW program. MTW allows participating public housing agencies to design and test inventive approaches to local housing and policy issues. In federal fiscal year 2016, DCHA's MTW agreement with HUD was extended to 2028. As a result, DCHA is able to continue implementation of the flexibilities made possible by the MTW designation, in addition to identifying other innovations designed to address local affordable housing issues.

(b) DCHA's ACOP includes policies which have been developed and implemented under the MTW program. In accordance with its MTW Agreement with HUD, DCHA requests approval from HUD to establish MTW policies and waive certain provisions of the 1937 Act and its implementing regulations through the MTW Plan. The policies adopted by DCHA, under the MTW Agreement, will remain in force through the term of the MTW Agreement and will supersede existing and applicable HUD requirements unless and until amended.

6002.7 The job of DCHA, pursuant to HUD regulations is to provide safe, habitable dwelling units to low-income families at an affordable rent. DCHA screens applicants for public housing and, if they are determined to be eligible for the program, DCHA makes an offer of a housing unit. If the applicant accepts the offer, DCHA and the applicant enter into a written lease agreement. At this point, the applicant becomes a tenant in the public housing program.

6002.8 In the context of the public housing program, a tenant is defined as the adult person(s) (other than a live-in aide) who (a) executed the lease with DCHA as lessee of the dwelling unit, or, if no such person now resides in the unit, (b) who resides in the unit, and who is the remaining head of household of the tenant family residing in the dwelling unit in accordance with 24 CFR § 966.53. The terms "tenant" and "resident" are used interchangeably in this ACOP. Additionally, the ACOP uses the term "family" or "families" for residents or applicants, depending on context.

6002.9 [RESERVED]

6002.10 [RESERVED]

6002.11 In addition to the ACC, DCHA and the family must also comply with federal regulations and other HUD publications and directives. For the public housing program to work and be successful, all parties involved – HUD, DCHA, and the tenant – play an important role.

6002.12 Federal law is the source of HUD responsibilities. HUD has the following major responsibilities:

(a) Develop regulations, requirements, handbooks, notices, and other guidance to implement housing legislation passed by Congress;

(b) Allocate operating subsidies to PHAs;

(c) Allocate capital funding to PHAs;

(d) Provide technical assistance to PHAs on interpreting and applying public housing program requirements; and

(e) Monitor PHA compliance with program requirements and PHA performance in public housing program administration.

6002.13 DCHA's responsibilities originate in federal regulations and the ACC. DCHA owns and manages public housing developments, administers the program under contract with HUD, and has the following major responsibilities:

(a) Ensure compliance with all non-discrimination, equal opportunity, and fair housing laws, and ensure that the public housing program is accessible to persons with disabilities;

(b) Establish local policies and procedures for operating the housing program;

(c) Accept applications from interested applicant families and determine whether they are income eligible for the housing program;

(d) Maintain waiting list and select families for admission;

(e) Screen applicant families for suitability as renters;

(f) Maintain housing units by making any necessary repairs in a timely manner;

(g) Make unit offers to families (minimize vacancies without overcrowding);

(h) Maintain properties to the standard of safe, habitable dwelling units

(including assuring compliance with National Standards for the Physical Inspection of Real Estate, or NSPIRE);

(i) Make sure DCHA has adequate financial resources to maintain its housing stock;

(j) Perform regular reexaminations of family income and composition in accordance with HUD requirements;

(k) Collect rent due from the assisted family and comply with and enforce provisions of the lease;

(l) Ensure that families comply with public housing program rules;

(m) Provide families with prompt and professional service; and

(n) Comply with all applicable fair housing and equal opportunity requirements, HUD regulations and requirements as may be amended by DCHA's MTW Agreement, the ACC, HUD-approved applications for funding, the ACOP, other applicable federal, state and local laws and DCHA's MTW Agreement.

6002.14 The tenant's responsibilities are articulated in the public housing lease. The tenant has the following broad responsibilities:

(a) Comply with the terms of the lease and DCHA's house rules, as applicable;

(b) Provide DCHA with complete and accurate information, determined by DCHA to be necessary for administration of the public housing program;

(c) Cooperate in attending all appointments scheduled by DCHA;

(d) Allow DCHA to inspect the unit at reasonable times and after reasonable notice;

(e) Take responsibility for care of the housing unit, including any violations of NSPIRE caused by the family;

(f) Not engage in drug-related or violent criminal activity;

(g) Notify DCHA before moving or termination of the lease;

(h) Use the assisted unit only for residence and as the sole residence of the family; not subletting the unit or assigning the lease;

(i) Promptly notify DCHA of any changes in family composition;

(j) Not commit fraud, bribery, or any other corrupt or criminal act in connection with any housing programs; and

(k) Take care of the housing unit and report promptly maintenance problems to DCHA.

6002.15 [RESERVED]

6002.16 Applicable federal regulations affecting the ACOP include:

(a) 24 CFR Part 5: General Program Requirements;

(b) 24 CFR Part 8: Nondiscrimination;

(c) 24 CFR Part 35: Lead-Based Paint;

(d) 24 CFR Part 945: Designated Housing;

(e) 24 CFR Part 960: Admission and Occupancy Policies;

(f) 24 CFR Part 965: PHA-Owned or Leased Projects – General Provisions; and

(g) 24 CFR Part 966: Lease and Grievance Procedures.

6003 THE ADMISSIONS AND CONTINUED OCCUPANCY POLICIES

6003.1 The ACOP is DCHA's written statement of policies used to carry out the housing program in accordance with federal law and regulations, and HUD requirements. The ACOP also contains policies that support the objectives contained in DCHA's MTW Plan which is updated on an annual basis.

6003.2 All issues related to public housing not addressed in this ACOP are governed by federal regulations, HUD handbooks and guidebooks, notices, applicable state and local laws, and DCHA procedures. If HUD regulations change and conflict with the ACOP, HUD regulations have precedence.

6003.3 DCHA's ACOP Plan comprises the following chapters of this title; Chapters 60-68, Chapter 70, Chapter 73, Chapters 77-81, and Chapter 74 ("Reasonable Accommodations Policies and Procedures"). The ACOP plan covers DCHA's policies on these subjects:

(a) The organization of the waiting list and how families are selected and offered available units, including any DCHA admission preferences, procedures for removing applicant names from the waiting list, and

procedures for closing and reopening DCHA waiting list (Chapters 63 and 64);

(b) Transfer policies and the circumstances under which a transfer would take precedence over an admission (Chapter 77);

(c) Standards for determining eligibility, suitability for tenancy, and the size and type of the unit needed (Chapters 62 and 64);

(d) Procedures for verifying the information the family has provided (Chapter 66);

(e) The method for achieving deconcentration of poverty and income-mixing of public housing developments (Chapter 63);

(f) Grievance procedures (Chapter 79);

(g) Policies concerning payment by a family to DCHA of amounts the family owes DCHA (Chapters 80 and 81);

(h) Interim redeterminations of family income and composition (Chapter 68);

(i) Policies regarding community service requirements (Chapter 73); and

(j) Polices and rules about safety and ownership of pets in public housing (Chapter 70).

6003.4 [RESERVED]

6003.5 [RESERVED]

6003.6 [RESERVED]

6003.7 [RESERVED]

6003.8 DCHA will review and update the ACOP as needed to reflect changes in federal and local regulations and laws (where applicable), DCHA operations, DCHA's MTW policies (approved by HUD through DCHA's MTW Plan) or when needed to ensure staff consistency in operation.

Chapter 61, PUBLIC HOUSING: ADMISSION AND RECERTIFICATION, of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 61 FAIR HOUSING AND EQUAL OPPORTUNITY

6100 INTRODUCTION

6100.1 This § 6100 explains the laws and HUD regulations requiring DCHA to affirmatively further civil rights and fair housing in all federally assisted housing programs. The letter and spirit of these laws are implemented through consistent policy and procedures. The responsibility to further nondiscrimination pertains to all areas of DCHA's public housing operations.

6100.2 This § 6100 describes HUD regulations and DCHA policies related to these topics in three (3) sections:

(a) Nondiscrimination. Sections §§ 6101 and 6102 present the body of laws and regulations governing the responsibilities of DCHA regarding nondiscrimination;

(b) Policies Related to Persons with Disabilities. Section 6103 discusses the rules and policies of the public housing program related to reasonable accommodation for persons with disabilities. These rules and policies are based on the Fair Housing Act (42 U.S.C.) and Section 504 of the Rehabilitation Act of 1973, and incorporate guidance from the Joint Statement of The Department of Housing and Urban Development and the Department of Justice (DOJ), issued May 17, 2004; and

(c) Prohibition of Discrimination Against Limited English Proficiency Persons. Section 6104 details the obligations of DCHA to ensure meaningful access to the public housing program and its activities by persons with limited English proficiency (LEP). This section incorporates the Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons published January 22, 2007, in the Federal Register.

6101 NONDISCRIMINATION

6101.1 Federal laws require DCHA to treat all applicants and tenant families equally, providing the same quality of service, regardless of family characteristics and background. Federal law prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, age, familial status, and disability. In addition, HUD regulations provide for additional protections regarding sexual orientation, gender identity, and marital status. DCHA shall comply fully with all federal, state, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing, including the following:

(a) Title VI of the Civil Rights Act of 1964;

(b) Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988);

(c) Executive Orders 11063 and 13988;

(d) Section 504 of the Rehabilitation Act of 1973;

(e) Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern);

(f) The Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule, published in the Federal Register February 3, 2012 and further clarified in Notice PIH 2014-20;

(g) The Violence against Women Reauthorization Act of 2022 (VAWA); and

(h) Any applicable state laws or local ordinances, including but not limited to the District of Columbia Human Rights Act, D.C. Code § 2-1401.01 *et seq*, and any legislation protecting individual rights of tenants, applicants, or staff that may subsequently be enacted.

6101.2 When more than one civil rights law applies to a situation, the laws shall be read and applied together.

6101.3 In addition to the statutes, regulations, and policies outlined in § 6101.1, DCHA shall adhere to applicable provisions of the District of Columbia Human Rights Act, available at D.C. Code § 2-1401.01 *et seq.*

6102 NONDISCRIMINATION

6102.1 Federal regulations prohibit discrimination against certain protected classes and other groups of people. State and local requirements, as well as DCHA policies, prohibit discrimination against additional classes of people.

6102.2 DCHA shall not discriminate because of race, color, sex, religion, familial status, age, disability or national origin (collectively, the "federal protected classes").

6102.3 Familial status involves a family with a child or children under the age of eighteen (18) living with parents or legal custodians or with designees (pursuant to written permission) of a parent or legal custodian, pregnant women, or securing custody of children under the age of eighteen (18).

6102.4 DCHA shall not discriminate on the basis of marital status, gender identity, or sexual orientation.

6102.5 DCHA acknowledges the following protected traits under the District of Columbia Human Rights Act:

(a) Race;

(b) Color;

(c) Religion;

(d) National origin;

(e) Sex;

(f) Age;

(g) Marital status;

(h) Personal appearance;

(i) Sexual orientation;

(j) Gender identity or expression;

(k) Familial status;

(l) Family responsibilities;

(m) Disability;

(n) Matriculation;

(o) Political affiliation;

(p) Source of income;

(q) Sealed eviction record;

(r) Status as a victim of an intrafamily offense;

(s) Place of residence or business; or

(t) Homeless status.

6102.6 DCHA shall not, based on protected traits under the District of Columbia Human Rights Act or Federal protected class:

(a) Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to participate in the public housing program;

(b) Provide housing that is different from that provided to others;

(c) Subject anyone to segregation or disparate treatment;

(d) Subject anyone to sexual harassment;

(e) Restrict anyone's access to any benefit enjoyed by others in connection with the housing program;

(f) Treat a person differently in determining eligibility or other requirements for admission;

(g) Steer an applicant or resident toward or away from a particular area based on a protected trait under applicable District law or Federal protected class;

(h) Deny anyone access to the same level of services;

(i) Deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program;

(j) Discriminate in the provision of residential real estate transactions;

(k) Discriminate against someone because they are related to or associated with a member of a protected class or because they are perceived to be related to or associated with a member of a protected class; or

(l) Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons who are members of a protected class under the District of Columbia Human Rights Act or the federal protected classes.

6102.7 [RESERVED]

6102.8 If an applicant or tenant family believes that any family member has been discriminated against by DCHA, the family can advise DCHA. DCHA should make every reasonable attempt to determine whether the applicant or tenant family's assertions have merit and take any warranted corrective action.

6102.9 In all cases, DCHA may advise the family to file a fair housing complaint if the family feels they have been discriminated against under the Fair Housing Act, District of Columbia Human Rights Act, or other applicable anti-discrimination law. Anyone who believes they have been discriminated against may file a fair housing complaint with the Department of Housing and Urban Development (for claims under applicable Federal laws) or the District of Columbia Office of Human Rights (for claims under the District of Columbia Human Rights Act).

6102.10 Upon receipt of a housing discrimination complaint, DCHA is required to:

(a) Provide written notice of the complaint to those alleged and inform the complainant that such notice was made;

(b) Investigate the allegations and provide the complainant and those alleged with findings and either a proposed corrective action or an explanation of why corrective action is not warranted; and

(c) Keep records of all complaints, investigations, notices, and corrective actions.

6102.11 Applicants or tenant families who believe that they have been subject to unlawful discrimination may notify DCHA either orally or in writing.

(a) Within ten (10) business days of receiving the complaint, DCHA shall provide a written notice to those alleged to have violated the rule. DCHA shall also send a written notice to the complainant informing them that notice was sent to those alleged to have violated the rule, as well as information on how to complete and submit a housing discrimination complaint form to HUD's Office of Fair Housing and Equal Opportunity (FHEO).

(b) DCHA shall attempt to remedy discrimination complaints made against DCHA and shall investigate all allegations of discrimination.

(c) Within ten (10) business days following the conclusion of DCHA's investigation, DCHA shall provide the complainant and those alleged to have violated the rule with findings and either a proposed corrective action plan or an explanation of why corrective action is not warranted.

(d) DCHA shall keep a record of all complaints, investigations, notices, and corrective actions.

6102.12 A complainant may, not later than one (1) year after an alleged VAWA violation has occurred or terminated, file a complaint with FHEO alleging such violation.

6102.13 If there is a violation that began prior to a year before the complaint is filed, but it continues into the one (1) year time period, HUD will accept the complaint.

6102.14 FHEO is legally required to investigate the complaint if it is timely and FHEO otherwise has jurisdiction.

6102.15 If a complaint is filed more than one (1) year after the alleged violation occurred or terminated, FHEO may, but is not required to, investigate the allegations under the additional authority and procedures described in HUD Notice FHEO 2023-01.

6102.16 Complaints do not need to allege a violation of the Fair Housing Act for FHEO to accept and investigate a VAWA complaint.

6102.17 Applicants or tenant families who wish to file a VAWA complaint against DCHA may notify DCHA either orally or in writing.

6102.18 DCHA will advise the family of their right to file a VAWA complaint with FHEO. DCHA will inform the family that not later than one (1) year after an alleged VAWA violation has occurred or terminated, applicants and tenants who believe they have been injured by a VAWA violation or will be injured by such a violation that is about to occur may file a VAWA complaint using FHEO's online complaint form via mail, email, or telephone.

6102.19 DCHA will attempt to remedy complaints made against DCHA and will conduct an investigation into all allegations of discrimination.

6102.20 DCHA will keep a record of all complaints, investigations, notices, and corrective actions. (See discussion of VAWA policy in Section 8107).

6103 POLICIES RELATED TO PERSONS WITH DISABILITIES

6103.1 [RESERVED]

6103.2 DCHA shall ensure that persons with disabilities have full access to DCHA's programs and services. This responsibility begins with the first inquiry of an interested family and continues through every programmatic area of the public housing program in accordance with 24 CFR Part 8.

6103.3 DCHA shall provide a notice to each tenant that the tenant may, at any time during the tenancy, request reasonable accommodation of a disability of a household member, including reasonable accommodation so that the tenant can meet lease requirements or other requirements of tenancy in accordance with 24 CFR § 966.7(b).

6103.4 DCHA shall ask all applicants and resident families if they require any type of accommodations, in writing, on the intake application, reexamination documents, and notices of adverse action by DCHA, by including the following language:

(a) "If you or anyone in your family is a person with disabilities, and you require a specific accommodation to fully utilize our programs and services, please contact DCHA."

(b) A specific position and phone number shall be provided as the contact person for requests for accommodation for persons with disabilities.

6103.5 DCHA shall display posters and other housing information and signage in locations

throughout DCHA's office locations and developments in such a manner as to be easily readable from a wheelchair.

6103.6 DCHA shall offer reasonable accommodations to policies and procedures to all applicants in accordance with applicable law and DCHA policies under Chapter 74.

6103.7 A "reasonable accommodation" is a change, exception, or adjustment to a policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Since policies and services may have a different effect on persons with disabilities than on other persons, treating persons with disabilities exactly the same as others will sometimes deny them an equal opportunity to use and enjoy a dwelling. For purposes of this ACOP, reasonable accommodation includes reasonable modifications, which are structural modifications to units or buildings when necessary for a person with a disability full enjoyment of the premises.

6103.8 DCHA shall consider a request for accommodations reasonable if it does not create an "undue financial and administrative burden" for DCHA, or result in a "fundamental alteration" in the nature of the program or service offered, or unless DCHA can accommodate an individual's need through other means identified through an interactive discussion with the individual requesting the accommodation. A "fundamental alteration" is a modification that alters the essential nature of a provider's operations or program.

6103.9 When it is reasonable, DCHA shall accommodate the needs of a person with disabilities. Examples include but are not limited to:

(a) Permitting applications and reexaminations to be completed by mail, portal, website, and email;

(b) Providing "large-print" forms;

(c) Conducting home visits;

(d) Permitting a higher utility allowance for the unit if a person with disabilities requires the use of specialized equipment related to the disability;

(e) Modifying or altering a unit or physical system if such a modification or alteration is necessary to provide equal access to a person with a disability;

(f) Installing a ramp into a dwelling or building;

(g) Installing grab bars in a bathroom;

(h) Installing visual fire alarms for hearing impaired persons;

(i) Allowing a DCHA-approved live-in aide to reside in the unit if that person is determined to be essential to the care of a person with disabilities, is not obligated for the financial support of the person with disabilities, and would not be otherwise living in the unit;

(j) Providing a designated handicapped-accessible parking space;

(k) Allowing an assistance animal;

(l) Permitting an authorized designee or advocate to participate in the application or certification process and any other meetings with DCHA staff; and

(m) Displaying posters and other housing information in locations throughout DCHA's office locations and developments in such a manner as to be easily readable from a wheelchair.

6103.10 If an applicant or tenant indicates that an exception, change, or adjustment to a rule, policy, practice, building structure, or service is needed because of a disability, DCHA shall treat the information as a request for a reasonable accommodation, even if no formal request is made.

6103.11 The family must explain what type of accommodation is needed to provide the person with the disability full access to DCHA's programs and services.

6103.12 If the need for the accommodation is not readily apparent or known to DCHA, the family must explain the relationship between the requested accommodation and the disability. There must be an identifiable connection, or nexus, between the requested accommodation and the individual's disability.

6103.13 DCHA shall encourage the family to make its request in writing using a reasonable accommodation request form and submit to the ADA/504 Office for review. The request for accommodation can be made at any time, whether during intake, admissions, tenancy, or participation. However, DCHA shall consider the accommodation any time the family indicates that an accommodation is needed whether or not a formal written request is submitted.

6103.14 For purposes of reasonable accommodations, the definition of a person with disabilities is means a person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. The term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

(a) ***Physical or mental impairment*** includes:

(1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or

(2) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term *physical or mental impairment* includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

(b) ***Major life activities*** means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(c) ***Has a record of such an impairment*** means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(d) ***Is regarded as having an impairment*** means:

(1) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation;

(2) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or

(3) Has none of the impairments defined in paragraph (a) of this section but is treated by a recipient as having such an impairment.

6103.15 Before providing an accommodation, DCHA must determine that the person meets the definition of a person with a disability, and that the accommodation will enhance the family's access to DCHA's programs and services.

6103.16 If a person's disability is obvious or otherwise known to DCHA, and if the need for the requested accommodation is also readily apparent or known, no further verification shall be required.

6103.17 If a family indicates that an accommodation is required for a disability that is not

obvious or otherwise known to DCHA, DCHA must verify that the person meets the definition of a person with a disability, and that the limitations imposed by the disability require the requested accommodation.

6103.18 DCHA shall treat all information related to a person's disability in accordance with the confidentiality policies provided in Chapter 81 (Program Administration). The following requirements apply when verifying a disability or the nexus between the disability and the requested accommodation:

(a) Third-party verification must be obtained from an individual identified by the family who is competent to make the determination. The individual may be able to provide third-party verification of a disability, in the form of documentation such a proof of receipt of Supplemental Security Income or Social Security Disability Insurance benefits, or via a credible statement by the individual. A doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual's disability may also provide verification of a disability or the nexus between the disability and the requested accommodation;

(b) DCHA must request only information that is necessary to evaluate the disability-related need for the accommodation. DCHA may not inquire about the nature or extent of any disability;

(c) Medical records shall not be accepted or retained in the participant file; and

(d) In the event that DCHA does receive confidential information about a person's specific diagnosis, treatment, or the nature or severity of the disability, DCHA shall dispose of it. In place of the information, DCHA shall note in the file that the disability and other requested information have been verified, the date the verification was received, and the name and address of the knowledgeable professional who sent the information.

6103.19 DCHA must approve a request for an accommodation if the following three (3) conditions are met:

(a) The request was made by or on behalf of a person with a disability;

(b) There is a disability-related need for the accommodation; and

(c) The requested accommodation is reasonable, meaning it would not impose an undue financial and administrative burden on DCHA, or fundamentally alter the nature of DCHA's operations.

6103.20 Requests for accommodations must be assessed on a case-by-case basis. The determination of undue financial and administrative burden must be made on a

case-by-case basis involving various factors, such as the overall size of DCHA's program with respect to the number of employees, type of facilities and size of budget, type of operation including composition and structure of workforce, the nature and cost of the requested accommodation, and the availability of alternative accommodations that would effectively meet the family's disability-related needs.

6103.21 Before making a determination whether to approve the request, DCHA may enter into discussion and negotiation with the family, request more information from the family, or may require the family to sign a consent form so that DCHA may verify the need for the requested accommodation if that need is not apparent or otherwise credibly documented by the individual.

6103.22 DCHA's Reasonable Accommodation Process is as follows:

(a) After a request for an accommodation is presented, DCHA shall respond timely in writing.

(b) If DCHA denies a request for an accommodation because there is no relationship, or nexus, found between the disability and the requested accommodation, the notice shall inform the family of the right to appeal DCHA's decision through an informal hearing (if applicable) or the grievance process.

(c) If DCHA denies a request for an accommodation because it is not reasonable (it would impose an undue financial and administrative burden or fundamentally alter the nature of DCHA's operations), DCHA shall discuss with the family whether an alternative accommodation could effectively address the family's disability-related needs without a fundamental alteration to the public housing program and without imposing an undue financial and administrative burden.

(d) If DCHA believes that the family has failed to identify a reasonable alternative accommodation after interactive discussion and negotiation, DCHA shall notify the family, in writing, of its determination timely. The notice shall inform the family of the right to appeal DCHA's decision through an informal hearing (if applicable) or the grievance process.

6103.23 DCHA shall take reasonable steps to ensure that persons with disabilities related to hearing and vision have reasonable access to DCHA's programs and services in accordance with 24 CFR Part 8.6.

6103.24 At the initial point of contact with each applicant, DCHA shall inform all applicants of alternative forms of communication that can be used other than plain language paperwork.

6103.25 To meet the needs of persons with hearing impairments, TTD/TTY (text telephone

display / teletype) communication shall be available.

6103.26 To meet the needs of persons with vision impairments, large-print and audio versions of key program documents shall be made available upon request. When visual aids are used in public meetings or presentations, or in meetings with DCHA staff, one-on-one assistance shall be provided upon request.

6103.27 Additional examples of alternative forms of communication are sign language interpretation; having material explained orally by staff; or having a third-party representative (a friend, relative or advocate, named by the applicant) to receive, interpret and explain housing materials and be present at all meetings.

6103.28 DCHA must comply with a variety of laws and requirements pertaining to physical accessibility, including the following:

(a) Notice PIH 2010-26;

(b) Section 504 of the Rehabilitation Act of 1973 (24 CFR Part 8);

(c) The Americans with Disabilities Act of 1990 (28 CFR Part 35);

(d) The Architectural Barriers Act of 1968 (24 CFR § 570.614); and

(e) The Fair Housing Amendments Act of 1988 (24 CFR Part 100).

6103.29 [RESERVED]

6103.30 The design, construction, or alteration of DCHA facilities must conform to the Uniform Federal Accessibility Standards (UFAS) or other applicable accessibility standard.

6103.31 Newly-constructed facilities must be designed to be readily accessible to and usable by persons with disabilities. Alterations to existing facilities must be accessible to the maximum extent feasible, defined as not imposing an undue financial and administrative burden on the operations of the public housing program.

6103.32 DCHA's decision to deny or terminate the assistance of a family that includes a person with disabilities is subject to consideration of reasonable accommodation in accordance with 24 CFR § 966.7.

6103.33 When applicants with disabilities are denied assistance, the notice of denial must inform them of their right to request an informal hearing consistent with 24 CFR § 960.208(a).

6103.34 When a family's lease is terminated, the notice of termination must inform the family of their right to request a hearing in accordance with DCHA's grievance

process.

6103.35 When reviewing reasonable accommodation requests, DCHA must consider whether reasonable accommodation will allow the family to overcome the problem that led to DCHA's decision to deny or terminate assistance. If a reasonable accommodation will allow the family to meet the requirements, DCHA must make the accommodation.

6103.36 DCHA shall provide reasonable accommodation for persons with disabilities to participate in the hearing process.

6104 IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

6104.1 LEP can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the public housing program. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally-assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin. This § 6104 incorporates the Final Guidance to Federal Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons, published January 22, 2007, in the Federal Register.

6104.2 DCHA shall take affirmative steps to communicate with people who need services or information in a language other than English. These persons shall be referred to as "Persons with LEP."

6104.3 Persons with LEP are defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. For the purposes of this ACOP, Persons with LEP are public housing applicants and resident families, and parents and family members of applicants and resident families.

6104.4 In order to determine the level of access needed by Persons with LEP, DCHA shall balance the following four (4) factors:

(a) The number or proportion of Persons with LEP eligible to be served or likely to be encountered by the public housing program;

(b) The frequency with which Persons with LEP come into contact with the program;

(c) The nature and importance of the program, activity, or service provided by the program to people's lives; and

(d) The resources available to DCHA and costs.

Balancing these four (4) factors ensures meaningful access by Persons with LEP to critical services while not imposing undue burdens on DCHA.

6104.5 DCHA shall offer competent interpretation services free of charge, upon request, to the Persons with LEP.

6104.6 DCHA shall follow its Language Access Plan (LAP), which includes the following:

(a) DCHA shall utilize a language line for telephone interpreter services.

(b) When exercising the option to conduct remote hearings, however, DCHA shall coordinate with a remote interpretation service which, when available, uses video conferencing technology rather than voice-only interpretation.

(c) Where Persons with LEP desire, they shall be permitted to use, at their own expense, an interpreter of their own choosing, in place of or as a supplement to the free language services offered by DCHA. DCHA, at its discretion, may choose to use the language services even when Persons with LEP desire to use an interpreter of their choosing. The interpreter may be a family member or friend. If the interpreter chosen by the family is a minor, DCHA shall not rely on the minor to serve as the interpreter.

(d) DCHA shall analyze the various kinds of contacts it has with the public, to assess language needs and decide what reasonable steps should be taken. "Reasonable steps" may not be reasonable where the costs imposed substantially exceed the benefits. Where feasible and possible, according to its LAP, DCHA shall train and hire bilingual staff to be available to act as interpreters and translators, shall pool resources with other PHAs, and shall standardize documents. Per the Council of the District of Columbia's Language Access Act of 2004 (DCMR 4-1210.1), DCHA shall take reasonable steps to screen self-identified bilingual staff members who request to be placed on the list of language facilitators. Based on this list of available staff language facilitators and both the established and anticipated demand for language access services, the agency shall determine its existing capacity for assisting Persons with LEP and Non-English Proficiency (NEP) customers. To the extent that it requires additional capacity for providing interpretation services, DCHA must give preference to qualified bilingual individuals when hiring for existing budgeted vacant public contact positions.

6104.7 "Translation" is the replacement of a written text from one language into an equivalent written text in another language.

6104.8 To comply with written-translation obligations, DCHA shall take the following

steps:

(a) DCHA shall provide written translations of vital documents for each eligible LEP language group that constitutes three percent (3%) or five hundred (500) persons, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered.

(b) Translation of other documents, if needed, can be provided orally.

6104.9 After completing the four-factor analysis in § 6104.4 and deciding what language assistance services are appropriate, DCHA shall determine whether it is necessary to develop a written implementation plan to address the identified needs of the LEP populations it serves.

6104.10 If DCHA determines that it is not necessary to develop a written implementation plan, the absence of a written plan does not obviate the underlying obligation to ensure meaningful access by Persons with LEP to DCHA's public housing program and services.

6104.11 [RESERVED]

6104.12 Any person or organization may file a public complaint alleging a violation of the Language Access Act. The D.C. Office of Human Rights addresses these complaints, which may regard both individual and systemic noncompliance. A Customer may file the complaint directly, but a person or organization with an interest in the Customer's welfare may also file a complaint on the Customer's behalf. Members shall in no way retaliate against complainants or their representatives, and shall provide these persons or organizations with the same level of service that other applicants receive.

6104.13 For the purpose of § 6104.12, "Customer" shall mean an individual who may attempt to benefit from or receive services that DCHA provides.

6104.14 For the purpose of § 6104.12, "Members" shall mean all agency employers, as well as volunteers, grantees, contractors, and affiliates providing direct-services to the public on behalf of DCHA.

6104.15 Should a customer wishing to file a language access complaint contact DCHA, members shall report the incident to the Language Access Coordinator, and provide the customer with the following resources:

(a) The Office of Human Rights Language Access Complaint Form;

(b) The URL for the online Office of Human Rights Language Access Complaint Form (http://ohr.dc.gov/webform/language-access-public-complaint-form); or

(c) The Office of Human Rights phone number (202-727-4559).

Chapter 62, LOW RENT HOUSING: RENT AND LEASE, of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 62 ELIGIBILITY

6200 INTRODUCTION

6200.1 DCHA is responsible for ensuring that every individual and family admitted to the public housing program meets all program eligibility requirements. This includes any individual approved to join the family after the family has been admitted to the program. The family must provide any information needed by DCHA to confirm eligibility and determine the level of the family's assistance.

6200.2 To be eligible for the DCHA public housing program, an applicant family shall:

(a) Qualify as a family as defined by DCHA;

(b) Have income at or below HUD-specified income limits;

(c) Qualify on the basis of citizenship or the eligible immigrant status of family members;

(d) Provide social security number information for household members as required;

(e) Consent to DCHA's collection and use of family information as provided for in DCHA-provided consent forms;

(f) Not currently be receiving a duplicative subsidy (that is, they cannot have two or more housing assistance subsidies at once);

Example: If a family has a Housing Choice Voucher, they cannot use it to rent a public housing unit. To be eligible for public housing, the family would have to give up their voucher.

(g) DCHA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or DCHA.

6200.3 This 6200 contains three (3) sections:

(a) Definitions of Family and Household Members. Section 6201 contains definitions of family and household members and explains initial and ongoing eligibility issues related to these members;

(b) Basic Eligibility Criteria. Section 6202 discusses income eligibility, and rules regarding citizenship, social security numbers, and family consent; and

(c) Denial of Admission. Section 6203 covers factors related to an applicant's past or current conduct that can cause DCHA to deny admission.

6201 DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS

6201.1 Section 6201 provides information needed to correctly identify family and household members and explains eligibility rules.

6201.2 The terms "family" and "household" have different meanings in the public housing program.

6201.3 To be eligible for admission, an applicant must qualify as a family.

6201.4 In § 6201.3, "Family" includes, but is not limited to, the following:

(a) Regardless of actual or perceived sexual orientation, gender identity, or marital status, a single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; an otherwise eligible youth who has attained at least eighteen (18) years of age and not more than twenty-four (24) years of age and who has left foster care, or will leave foster care within ninety (90) days, in accordance with a transition plan described in Section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), and is homeless or is at risk of becoming homeless at age sixteen (16) or older; or

(b) A group of persons residing together. Such group includes, but is not limited to, a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family), an elderly family, a near-elderly family, a disabled family, a displaced family, or the remaining member of a tenant family.

6201.5 DCHA shall also adhere the definition of a "family" per the District of Columbia Human Rights Act, which defines "family" as the pairing of the following members of a household listed below:

(a) Domestic partner; or

(b) A dependent child of a domestic partner, which shall include, for the purposes of this section, an unmarried person under twenty-two (22) years of age, an unmarried person under twenty-five (25) years of age who is a full-time student, or an unmarried person regardless of age who is incapable of self-support because of a mental or physical disability that

existed before age twenty-two (22). A dependent child of a domestic partner shall include a natural child, adopted child, stepchild, foster child, or child in the legal custody of a domestic partner.

6201.6 For § 6201.4, "Gender Identity" means actual or perceived gender characteristics.

6201.7 For § 6201.4, "Sexual Orientation" means homosexuality, heterosexuality, or bisexuality orientation.

6201.8 A family also includes two (2) or more individuals who are not related by blood, marriage, adoption, or other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family.

6201.9 Each family must identify the individuals to be included in the family at the time of application and must update this information if the family's composition changes.

6201.10 [RESERVED].

6201.11 "Committed relationship" means: a familial relationship between two (2) individuals characterized by mutual caring and the sharing of a mutual residence.

6201.12 With respect to an individual's status as a family member of a victim of domestic violence, sexual abuse, and/or stalking, the following household members are recognized:

(a) A spouse, including the person identified by an individual as his or her domestic partner, as defined in D.C. Code, § 32-701(3);

(b) The parents of a spouse;

(c) Children (including foster children and grandchildren);

(d) The spouses of children;

(e) Parents;

(f) Brothers and sisters;

(g) The spouses of brothers and sisters;

(h) A child who lives with an individual and for whom the individual permanently assumes and discharges parental responsibility; and

(i) A person with whom the individual shares or has shared, for not less than the preceding twelve (12) months, a mutual residence and with whom the

individual maintains a committed relationship, as defined in D.C. Code, § 32-701(1).

6201.13 "Household" is a broader term that includes additional people who, with DCHA's permission, live in a public housing unit, such as live-in aides, foster children, and foster adults.

6201.14 Except under the following conditions, DCHA has discretion to determine which members of an assisted family continue to receive assistance if the family breaks up:

(a) If the family breakup results from an occurrence of domestic violence, dating violence, sexual assault, and/or stalking, DCHA must ensure that the victim retains assistance; and

(b) If a court determines the disposition of property between members of the assisted family, DCHA is bound by the court's determination of which family members continue to receive assistance.

6201.15 When a family on the waiting list breaks up into two (2) otherwise eligible families, only one of the new families may retain the original application date. Other former family members may submit a new application with a new application date if the waiting list is open.

6201.16 If a family breaks up into two otherwise eligible families while living in public housing, only one of the new families will retain occupancy of the unit.

6201.17 If a court determines the disposition of property between members of an applicant or resident family, DCHA shall abide by the court's determination.

6201.18 In the absence of a judicial decision, or a signed agreement among the original family members, DCHA shall determine which family will retain their placement on the waiting list or continue in occupancy. In making its determination, DCHA shall take into consideration the following factors:

(a) The interest of any minor children, including custody arrangements;

(b) The interest of any ill, elderly, or disabled family members;

(c) The interest of any family member who is or has been the victim of domestic violence, dating violence, sexual assault, and/or stalking, including a family member who was forced to leave a public housing unit as a result of such actual or threatened abuse, and provides documentation in accordance with DCHA's ACOP; and

(d) Any possible risks to family members as a result of criminal activity.

6201.19 Family includes the "remaining member of a tenant family," which is a member of a resident family who remains in the unit when other members of the family have left the unit. Household members such as live-in aides, foster children, and foster adults do not qualify as remaining members of a family.

6201.20 "Head of household" means the adult member of the family who is considered the head for purposes of determining income eligibility and rent. The head of household is responsible for ensuring that the family fulfills all of its responsibilities under the program, alone or in conjunction with a co-head or spouse.

6201.21 The family may designate any qualified family member as the head of household. The head of household must have the legal capacity to enter a lease under state and local law. A minor who is emancipated under state law may be designated as head of household.

6201.22 A family may have a spouse or co-head, but not both.

6201.23 "Spouse" means the marriage partner of the head of household.

6201.24 A "marriage partner" includes the partner in a "common law" marriage as defined in state law. The term "spouse" does not apply to friends, roommates, or significant others who are not marriage partners. A minor who is emancipated under state law may be designated as a spouse.

6201.25 A "co-head" is an individual in the household who is equally responsible with the head of household for ensuring that the family fulfills all of its responsibilities under the program, but who is not a spouse. A family can have only one co-head.

6201.26 Minors who are emancipated under state law may be designated as a cohead.

6201.27 "Other adult" means a family member, other than the head, spouse, or co- head, who is eighteen (18) years of age or older. Foster adults and live-in aides are not considered other adults.

6201.28 A "dependent*"* is a family member who is under eighteen (18) years of age or a person of any age who is a person with a disability or a full-time student, except that the following persons can never be dependents: the head of household, spouse, co-head, foster children, foster adults and live-in aides.

6201.29 Dependents that are subject to a joint custody arrangement are considered a member of the family if they live with the applicant or resident family fifty percent (50%) or more of the time.

6201.30 When more than one applicant or assisted family (regardless of program) are claiming the same dependents as family members, the family with primary custody

at the time of the initial examination or reexamination will be able to claim the dependents. If there is a dispute about which family should claim them, DCHA makes the determination based on available documents such as court orders, an IRS income tax return showing which family has claimed the child for income tax purposes, school records, or other credible documentation.

6201.31 A "full-time student (FTS)" is a person who is attending school or vocational training on a full-time basis. The time commitment or subject load that is needed to determine if attendance is full-time is defined by the educational institution.

6201.32 Identifying each FTS is important because:

(a) Each family member that is an FTS, other than the head, spouse, or co- head, qualifies the family for a dependent deduction, and

(b) The income of such an FTS is treated differently from the income of other family members.

6201.33 Under DCHA's approved MTW policy, an "elderly person" is a person who is at least fifty-five (55) years of age.

6201.34 A "near-elderly person" is a person who is fifty to fifty-four (50-54) years of age.

6201.35 An "elderly family" is one in which the head, spouse, co-head, or sole member is an elderly person.

6201.36 Under the public housing program, special rules apply to persons with disabilities and to any family whose head, spouse, or co-head is a person with disabilities.

6201.37 DCHA must make all aspects of the public housing program accessible to persons with disabilities and consider requests for reasonable accommodations when a person's disability limits their full access to the unit, the program, or the DCHA's services.

6201.38 A "disabled family" is one in which the head, spouse, or co-head is a person with disabilities.

6201.39 DCHA may deny admission or taking action under the lease for reasons related to alcohol and drug abuse in accordance with the policies found in § 6203 and in Chapter 78.

6201.40 A "guest" is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

6201.41 The lease must provide that the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near DCHA's premises.

6201.42 A resident family must notify DCHA when overnight guests will be staying in the unit for more than three (3) days. A guest can remain in the unit no longer than ten (10) consecutive days or a total of thirty (30) cumulative calendar days during any twelve (12) month period.

6201.43 A family may request an exception to the DCHA policy in 6201.42 for valid reasons (such as care of a relative recovering from a medical procedure expected to last twenty (20) consecutive days). An exception shall not be made unless the family can identify and provide documentation of the residence to which the guest will return.

6201.44 Children who are subject to a joint custody arrangement or for whom a family has written visitation privileges, that are not included as a family member because they live outside of the public housing unit more than fifty percent (50%) of the time, are not subject to the time limitations of guests as described above.

6201.45 Former residents who have been evicted are not permitted as overnight guests.

6201.46 Guests who represent the public housing unit address as their residence address or address of record for receipt of benefits or any other purposes are considered unauthorized occupants; and

6201.47 Guests who remain in the unit beyond the allowable time limit are unauthorized occupants, and their presence constitutes a violation of the lease.

6201.48 A "foster adult" is a member of the household who is eighteen (18) years of age or older and meets the definition of a foster adult under state law. In general, a foster adult is a person who is eighteen (18) years of age or older, is unable to live independently due to a debilitating physical or mental condition, and is placed with the family by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction.

6201.49 A "foster child" is a member of the household who meets the definition of a foster child under state law. In general, a foster child is placed with the family by an authorized placement agency (e.g., public child welfare agency) or by judgment, decree, or other order of any court of competent jurisdiction.

6201.50 Foster children and foster adults that are living with an applicant or resident family

are considered household members but not family members.

6201.51 The income of foster children and foster adults is not counted in family annual income and foster children and foster adults do not qualify for a dependent deduction.

6201.52 A foster child or foster adult may be allowed to reside in the unit if their presence would not overcrowd the unit.

6201.53 Individuals may be temporarily or permanently absent from the unit for a variety of reasons including educational activities, placement in foster care, employment, and illness.

6201.54 An individual who is, or is expected to be, absent from the public housing unit for one hundred eighty (180) consecutive days or less is considered temporarily absent and continues to be considered a family member.

6201.55 An individual who is or is expected to be absent from the public housing unit for more than one hundred eighty (180) consecutive days is considered permanently absent and no longer a family member. However, please note exceptions in Sections 6201.56-61.

6201.56 When someone who has been considered a family member attends school away from home, the person continues to be considered a family member unless DCHA is made aware that the student has established a separate household (including when another PHA contacts DCHA to inform them that an assisted family is requesting to add the student to their household or the PHA is reviewing the eligibility of family for assistance in their jurisdiction and the family includes the student), or the family reports that the student has left the household, consistent with § 6803.14.

6201.57 Children temporarily absent from the home as a result of placement in foster care are considered members of the family.

6201.58 If a child has been placed in foster care, DCHA shall verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child is counted as a family member.

6201.59 An employed head, spouse, or co-head absent from the unit more than sixty (60) consecutive days due to employment continues to be considered a family member.

6201.60 An individual confined to a nursing home or hospital on a permanent basis is not considered a family member.

6201.61 If there is a medical question about the status of a Family member discussed in § 6201.60, DCHA shall request verification from a responsible medical professional

and shall use this determination. If the responsible medical professional cannot provide a determination, the person generally is considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

6201.62 The family must request DCHA approval for the return of any adult family members that DCHA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed in this § 6200.

6201.63 "Live-in aide" means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

(a) Is determined to be essential to the care and well-being of the person(s),

(b) Is not obligated for the support of the person(s); and

(c) Would not be living in the unit except to provide the necessary supportive services.

6201.64 DCHA must approve a live-in aide if needed as a reasonable accommodation for a person with disabilities in accordance with 24 CFR Part 8.

6201.65 A live-in aide is considered a household member but not a family member.

6201.66 The income of the live-in aide is not counted in determining the annual income of the family.

6201.67 Relatives may be approved as live-in aides if they meet all of the criteria defining a live-in aide. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family.

6201.68 A family's request for a live-in aide may be made either orally or in writing.

6201.69 DCHA shall verify the need for a live-in aide, if necessary, with a reliable, knowledgeable professional as provided by the family, such as a doctor, social worker, or case worker.

6201.70 For continued approval of the live-in aide, the family may be required to submit a new, written request—subject to DCHA verification at each reexamination.

6201.71 The family and live-in aide are required to submit a certification stating that the live-in aide is:

(a) Not obligated for the support of the person(s) needing the care; and

(b) Would not be living in the unit except to provide the necessary supportive services.

6201.72 Live-in aides are subject to the same screening requirements as any other adult included in or added to a household, with the exception that they are not subject to income eligibility. DCHA has the discretion not to approve a particular person as a live-in aide, and may withdraw such approval, if:

(a) The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

(b) The person has a history of drug-related criminal activity or violent criminal activity; or

(c) The person currently owes rent or other amounts to DCHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

6201.73 Within twenty (20) business days of receiving a request for a live-in aide, including all required documentation related to the request, DCHA shall notify the family of its decision in writing.

6202 BASIC ELIGIBILITY CRITERIA

6202.1 "Low-income family" is a family whose annual income does not exceed eighty percent (80%) of the median income for the area, adjusted for family size.

6202.2 "Very low-income family" is a family whose annual income does not exceed fifty percent (50%) of the median income for the area, adjusted for family size.

6202.3 "Extremely low-income family" is a family whose annual income does not exceed the federal poverty level or thirty percent (30%) of the median income for the area, whichever number is higher.

6202.4 To be income-eligible, a family must be a low-income family.

6202.5 At least forty percent (40%) of the families admitted from the DCHA waiting list to the public housing program during DCHA's fiscal year must be extremely low-income families. This is called the "basic targeting requirement."

6202.6 If admissions of extremely low-income families to DCHA's housing choice voucher program during DCHA's fiscal year exceeds the seventy-five percent (75%) minimum targeting requirement for that program, such excess shall be credited against DCHA's public housing basic targeting requirement for the same fiscal year.

6202.7 DCHA's fiscal year credit for housing choice voucher program admissions that exceed the minimum voucher program targeting requirement must not exceed the lower of:

(a) Ten percent (10%) of public housing waiting list admissions during the DCHA fiscal year;

(b) Ten percent (10%) of waiting list admission to DCHA's housing choice voucher program during the DCHA fiscal year; and

(c) The number of qualifying low-income families who commence occupancy during the fiscal year of public housing units located in census tracts with a poverty rate of thirty percent (30%) or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

6202.8 Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens that have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

6202.9 All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply. Where feasible, and in accordance with DCHA's Language Access Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

6202.10 Each family member shall declare whether the individual is a citizen, a national, or an eligible noncitizen (Declaration of Section 214 Status), except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible noncitizens. For citizens, nationals and eligible noncitizens the declaration must be signed personally by the head, spouse, co-head, and any other family member eighteen (18) or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status. No declaration is required for live-in aides, foster children, or foster adults.

6202.11 Family members who declare citizenship or national status are not required to provide additional documentation unless DCHA receives information indicating that an individual's declaration may not be accurate.

6202.12 In addition to providing a signed declaration, those declaring eligible noncitizen status must sign a verification consent form and cooperate with DCHA efforts to verify their immigration status as described in Chapter 66.

6202.13 Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a non-contending family member listing, signed by the head, spouse, or co-head (regardless of citizenship status), indicating their ineligible immigration status.

6202.14 DCHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

6202.15 Providing housing assistance to noncitizen students is prohibited. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student. Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

6202.16 Families that include eligible and ineligible individuals are considered "mixed families." Such families shall be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination.

6202.17 DCHA shall not provide assistance to a family before the verification of at least one family member as a citizen, national, or eligible noncitizen;

(a) When DCHA determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, following the verification process, the family shall be sent a written notice within twenty (20) business days of the determination; and

(b) The notice shall explain the reasons for the denial of assistance and shall advise the family of its right to request an appeal to the USCIS, or to request a grievance hearing with DCHA. The grievance hearing with DCHA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the grievance hearing process.

6202.18 For new occupants joining the resident family, DCHA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.

6202.19 If an individual qualifies for a time extension for the submission of required documents, DCHA must grant such an extension for no more than thirty (30) days.

6202.20 Each family member is required to submit evidence of eligible status only one time

during continuous occupancy.

6202.21 DCHA shall verify the status of applicants at the time other eligibility factors are determined.

6202.22 The applicant and all members of the applicant's household must disclose the complete and accurate social security number (SSN) assigned to each household member, and the documentation necessary to verify each SSN.

6202.23 If a child under age six (6) has been added to an applicant family within the six (6) months prior to program admission, an otherwise eligible family may be admitted to the program and must disclose and document the child's SSN within ninety (90) days of admission.

6202.24 Each participant who has not previously disclosed an SSN, has previously disclosed an SSN that HUD, or the SSA, determined was invalid, or has been issued a new SSN, must submit their complete and accurate SSN and the documentation required to verify the SSN at the time of the next interim or regular reexamination or recertification.

6202.25 Participants age sixty-two (62) or older as of January 31, 2010, whose determination of eligibility was begun before January 31, 2010, are exempt from the requirement in § 6202.24 and remain exempt even if they move to a new assisted unit.

6202.26 DCHA must deny assistance to an applicant family if they do not meet the SSN disclosure and documentation requirements contained in 24 CFR § 5.216.

6202.27 Each adult family member, and the head of household, spouse, or co-head, regardless of age, shall sign form HUD-9886-A, Authorization for the Release of Information/Privacy Act Notice, the form HUD-52675, Debts Owed to Public Housing Agencies and Terminations, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

6202.28 DCHA must deny admission to the program if any member of the applicant family fails to sign and submit consent forms which allow DCHA to obtain information that DCHA has determined is necessary in administration of the public housing program. Revocation of consent to the form HUD-9886-A by any family member will result in termination or denial of admission.

6202.29 Prior to admission to the program, DCHA must search for all household members using the EIV Existing Tenant Search module. DCHA must review the reports for any SSA matches involving another PHA or a multifamily entity and follow up on any issues identified. DCHA must provide the family with a copy of the Existing Tenant Search results if requested. At no time may any family member receive duplicative assistance (that is, they cannot have two or more housing subsidies at

once).

(a) Example: A family member cannot live in two assisted units. If EIV shows a person already lives in another public housing or HCV household, they must be removed from that household before they can be approved to lease up in DHCA's public housing unit.

6202.30 If the tenant is a new admission to DCHA, and a match is identified at a multifamily property, DCHA must report the program admission date to the multifamily property and document the notification in the tenant file. The family must provide documentation of move-out from the assisted unit, as applicable.

6202.31 DCHA shall contact the PHA, or owner identified in the report, to confirm that the family has moved out of the unit and obtain documentation of current tenancy status, including a form HUD-50058 or 50059, as applicable, showing an end of participation. DCHA shall only approve assistance contingent upon the move-out from the currently occupied assisted unit.

6202.32 All adult household members must sign the form HUD-52675, Debts Owed to Public Housing and Terminations module. Prior to admission to the program, DCHA must search for each adult family member in the Debts Owed to PHAs and Terminations module.

6202.33 If a current or former tenant disputes the information in the EIV Existing Tenant Search module or Former Tenant Search/Debts Owed to PHAs & Terminations module, the tenant should contact the PHA directly in writing to dispute the information and provide any documentation that supports the dispute. If DCHA determines that the disputed information is incorrect, DCHA will update or delete the record from the EIV Existing Tenant Search or Former Tenant Search/Debts Owed to PHAs & Terminations module. Former tenants may dispute debt and termination information for a period of up to three (3) years from the end of participation date in the program.

6202.34 DCHA shall require each adult household member to sign the form HUD-52675 (Debts Owed to Public Housing Agencies (PHAs) and Terminations form) once at the eligibility determination. Any new members added to the household after admission are required to sign the form HUD-52675 prior to being added to the household.

6202.35 DCHA shall search the Debts Owed to PHAs and Terminations module as part of the eligibility determination for new households and as part of the screening process for any household members added after the household is admitted to the program. If any information on debts or terminations is returned by the search, DCHA shall determine if this information warrants a denial in accordance with the policies in § 6203 of this chapter.

6202.36 For each new admission, DCHA is required to review the EIV Income and IVT Reports to confirm and validate family reported income within one hundred twenty (120) days of the IMS/PIC submission date of the new admission. DCHA must print and maintain copies of the EIV Income and IVT reports in the tenant file and resolve any discrepancies with the family within sixty (60) days of the EIV Income or IVT report dates.

6203 DENIAL OF ADMISSION

6203.1 A family that does not meet the eligibility criteria discussed in §§ 6201 and 6202 must be denied admission.

6203.2 This Section covers the following topics:

(a) Required denial of admission;

(b) Other permitted reasons for denial of admission;

(c) Screening;

(d) Criteria for deciding to deny admission;

(e) Prohibition against denial of admission to victims of domestic violence, dating violence, sexual assault, and/or stalking; and

(f) Notice of eligibility or denial.

6203.3 DCHA shall deny assistance in the following cases:

(a) Any member of the household has been evicted from federally assisted housing in the last five (5) years for drug-related criminal activity; provided, however, DCHA may admit an otherwise-eligible family who was evicted from federally assisted housing within the past five (5) years for drug-related criminal activity, if DCHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by DCHA, or the person who committed the crime is no longer living in the household;

(b) DCHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents;

(1) "Drug" means a controlled substance as defined in § 102 of the Controlled Substances Act;

(2) "Currently use" means a person has engaged in the behavior recently enough to justify a reasonable belief that there is continuing illegal drug use by a household member during the previous three (3) months;

(3) In determining "reasonable cause," DCHA considers all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A record or records of arrest shall not be used as the sole basis for the denial or proof that the applicant engaged in disqualifying criminal activity. DCHA also considers evidence from treatment providers or community-based organizations providing services to household members;

(c) Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing; and

(d) Any household member is subject to a lifetime registration requirement under a state lifetime sex offender registration program.

6203.4 If any household member is currently engaged in or has engaged in any of the following criminal activities within the past five (5) years, the family shall be denied admission:

(a) "Drug-related criminal activity," is the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute, or use the drug;

(b) "Violent criminal activity" is any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage;

(c) Criminal activity that may threaten the health, safety, or welfare of other tenants;

(d) Criminal activity that may threaten the health or safety of DCHA staff, contractors, subcontractors, or agents;

(e) Criminal sexual conduct, including but not limited to sexual assault, incest, open and gross lewdness, or child abuse;

(f) Evidence of such criminal activity includes, but is not limited to:

(1) Any record of convictions, arrests, or evictions for suspected drug-related or violent criminal activity of household members within the past five (5) years; and

(2) A record, or records of arrest, shall not be used as the sole basis for the denial or proof that the applicant engaged in disqualifying criminal activity.

(g) In making its decision to deny assistance, DCHA considers the factors discussed in § 6203.10-19. Upon consideration of such factors, DCHA may, on a case-by-case basis, decide not to deny assistance.

6203.5 DCHA shall deny admission to an applicant family if DCHA determines that the family:

(a) Has a pattern of unsuitable past performance in meeting financial obligations, including rent within the past three (3) years;

(b) Has a pattern of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences within the past three (3) years which may adversely affect the health, safety, or welfare of other tenants;

(c) Misrepresented or does not provide complete information related to eligibility, including income, expenses, family composition or rent;

(d) Has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program in the last three (3) years;

(e) Owes rent or other amounts to this or any other PHA in connection with any assisted housing program including, but not limited to, Section 8, public housing, or other public housing assistance under the 1937 Act, unless the family repays the full amount of the debt prior to being selected from the waiting list;

(f) When denying admission due to family debts as shown in HUD's EIV system, DCHA shall provide the family with a copy of the EIV Debt Owed to PHA and Termination report;

(g) If the family wishes to dispute the information in the report, the family must contact DCHA that entered the information in EIV in writing, explaining why EIV information is disputed. The family must also provide a copy of the letter and all applicable verification to DCHA to support the family's claim. DCHA considers the information provided by the family prior to issuing a notice of denial;

(h) Has engaged in or threatened violent or abusive behavior toward DCHA

personnel;

(1) "Abusive or violent behavior towards DCHA personnel" includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

(2) "Threatening" refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

(i) In making its decision to deny admission, DCHA shall consider the factors discussed in § 6203.13. Upon consideration of such factors, DCHA may, on a case-by-case basis, decide not to deny admission; and

(j) DCHA shall consider the existence of mitigating factors, such as loss of employment or other financial difficulties, before denying admission to an applicant based on the failure to meet prior financial obligations.

6203.6 DCHA performs criminal background checks through local and national law enforcement for all adult household members.

6203.7 DCHA may not pass along to the applicant the costs of a criminal records check.

6203.8 DCHA uses the Dru Sjodin National Sex Offender database to screen applicants for admission.

6203.9 DCHA shall obtain information from drug abuse treatment facilities to determine whether any applicant family's household members are currently engaging in illegal drug activity only when DCHA has determined that the family will be denied admission based on a family member's drug-related criminal activity, and the family claims that the culpable family member has successfully completed a supervised drug or alcohol rehabilitation program. "Currently engaged in" is defined as any use of illegal drugs during the previous three (3) months.

6203.10 DCHA considers the family's history with respect to the following factors:

(a) Payment of rent and utilities;

(b) Caring for a unit and premises;

(c) Respecting the rights of other residents to the peaceful enjoyment of their housing;

(d) Criminal activity that is a threat to the health, safety, or property of others;

(e) Behavior of all household members as related to the grounds for denial as

detailed in §§ 6203.3-5; and

(f) Compliance with any other essential conditions of tenancy.

6203.11 To determine the suitability of applicants DCHA may examine applicant history for the past three (3) years. Such background checks include:

(a) PHA and landlord references for the past three (3) years, gathering information about past performance meeting rental obligations such as rent payment record, late payment record, whether the PHA/landlord ever began or completed lease termination for non-payment, and whether utilities were ever disconnected in the unit. PHAs and landlords may be asked if they would rent to the applicant family again;

(b) Utility company references covering the monthly amount of utilities, late payment, disconnection, return of a utility deposit, and whether the applicant can get utilities turned on in their name (use of this inquiry may be reserved for applicants applying for units where there are tenant-paid utilities);

(c) If an applicant has no rental payment history, DCHA may check court records of eviction actions and other financial judgments, and credit reports. A lack of credit history will not disqualify someone from becoming a public housing resident, but a poor credit rating may;

(d) Applicants with no rental payment history are also asked to provide DCHA with personal references. The references may be requested to complete a verification of the applicant's ability to pay rent if no other documentation of ability to meet financial obligations is available. The applicant may also be required to complete a checklist documenting their ability to meet financial obligations;

(e) If previous landlords or the utility company do not respond to requests from DCHA, the applicant may provide other documentation that demonstrates their ability to meet financial obligations (e.g., rent receipts, cancelled checks, etc.);

(f) PHA and landlord references for the past three (3) years, gathering information on whether the applicant kept a unit clean, safe and sanitary; whether they violated health or safety codes; whether any damage was done by the applicant to a current or previous unit or the development, and, if so, how much the repair of the damage cost; whether the applicant's housekeeping caused insect or rodent infestation; and whether the neighbors complained about the applicant or whether the police were ever called because of disturbances;

(g) Police and court records within the past three (3) years are used to check for any evidence of disturbance of neighbors or destruction of property that might have resulted in arrest or conviction. A record or records of arrest are not used as the sole basis for the denial or proof that the applicant engaged in disqualifying activity;

(h) A personal reference is requested to complete a verification of the applicant's ability to care for the unit and avoid disturbing neighbors if no other documentation is available. In these cases, the applicant is also required to complete a checklist documenting their ability to care for the unit and to avoid disturbing neighbors; and

(i) Home visits may be used to determine the applicant's ability to care for the unit.

6203.12 DCHA uses the preponderance of the evidence as the standard for making all admission decisions. "Preponderance of the evidence" is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

6203.13 DCHA will consider the following facts and circumstances prior to making its decision:

(a) The seriousness of the case, especially with respect to how it would affect other residents' safety or property;

(b) The effects that denial of admission may have on other members of the family who were not involved in the action or failure to act;

(c) The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or a victim of domestic violence, dating violence, sexual assault, and/or stalking;

(d) The length of time since the violation occurred, including the age of the individual at the time of the conduct, as well as the family's recent history and the likelihood of favorable conduct in the future;

(e) While a record or records of arrest are not used as the sole basis for denial, an arrest may trigger an investigation to determine whether the applicant engaged in disqualifying criminal activity. As part of its investigation, DCHA may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. DCHA may also consider:

(1) Any statements made by witnesses, or the applicant not included in the police report;

(2) Whether criminal charges were filed;

(3) Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal;

(4) Any other evidence relevant to determining whether the applicant engaged in disqualifying activity;

(5) Evidence of criminal conduct is considered if it indicates a demonstrable risk to safety and/or property;

(6) Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs; and

(7) In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully. DCHA requires the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

6203.14 As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member is not permitted to visit or to stay as a guest in the public housing unit.

6203.15 If the family indicates that the behavior of a family member with a disability is the reason for the proposed denial of admission, DCHA shall determine whether the behavior is related to the disability. If so, upon the family's request, DCHA shall determine whether alternative measures are appropriate as a reasonable accommodation. DCHA only considers accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of admission.

6203.16 DCHA acknowledges that a victim of domestic violence, dating violence, sexual assault, and/or stalking may have an unfavorable history (such as a poor credit history, poor rental history, a record of previous damage to an apartment, a prior arrest record) due to adverse factors that would warrant denial under DCHA's policies;

6203.17 While DCHA is not required to identify whether adverse factors that resulted in the applicant's denial are a result of domestic violence, dating violence, sexual assault, and/or stalking, the applicant may inform DCHA that their status as a victim is directly related to the grounds for the denial. DCHA shall request that the applicant provide enough information to DCHA to allow DCHA to make an objectively reasonable determination, based on all circumstances, whether the adverse factor is a direct result of their status as a victim; and

6203.18 DCHA shall include in its notice of denial information about the protection against denial provided by VAWA, a notice of VAWA rights, and a copy of the form HUD-5382. DCHA shall request in writing that an applicant wishing to claim this protection notify the PHA within fourteen (14) business days.

6203.19 If an applicant claims the protection against denial of admission that VAWA provides to victims of domestic violence, dating violence, sexual assault, and/or stalking, DCHA shall request in writing that the applicant provide documentation supporting the claim in accordance with ACOP.

6203.20 If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

(a) A signed statement: requesting that the perpetrator be removed from the application and certifying that the perpetrator will not be permitted to visit or to stay as a guest in the public housing unit; and

(b) Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to their belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

6203.21 If, based on a criminal record or sex offender registration information, an applicant family appears to be ineligible, DCHA shall notify the family in writing of the proposed denial and provide a copy of the record to the applicant and to the subject of the record.

6203.22 The family shall be given ten (10) business days to dispute the accuracy and relevance of the information.

6203.23 If the family does not contact DCHA to dispute the information within that ten (10) day period, DCHA shall proceed with issuing the notice of denial of admission.

6203.24 A family that does not exercise their right to dispute the accuracy of the information

prior to issuance of the official denial letter shall still be given the opportunity to do so as part of the informal hearing process.

6203.25 Notice requirements related to denying admission to noncitizens are contained in §§ 6203.3-5.

6203.26 Notice policies related to denying admission to applicants who may be victims of domestic violence, dating violence, sexual assault, and/or stalking are contained in § 6203.18.

Chapter 63, LOW RENT HOUSING: GRIEVANCE PROCEDURES, of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 63 APPLICATIONS, WAITING LIST, AND TENANT SELECTION

6300 INTRODUCTION

6300.1 When a family wishes to reside in public housing, the family must submit an application. When a unit becomes available, DCHA will select families from the waiting list in accordance with DCHA policies as stated in this chapter.

6300.2 [RESERVED]

6300.3 [RESERVED]

6300.4 This chapter describes DCHA policies for accepting applications, managing the waiting list and selecting families from the waiting list. DCHA's policies for assigning unit size and making unit offers are contained in Chapter 64.

6300.5 The policies outlined in this chapter are organized into three (3) sections, as follows:

(a) The Application Process. Section 6301 provides an overview of the application process and discusses how applicants can obtain and submit applications. It also specifies how DCHA will handle the applications it receives;

(b) Managing the Waiting List. Section 6302 presents the policies that govern how DCHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for public housing. It also discusses the process DCHA will use to keep waiting lists current; and

(c) Tenant Selection. Section 6303 describes the policies DCHA will follow in selecting families from the applicable waiting list as units become available. It also specifies how interviews will be used to ensure that DCHA has the information needed to make a final eligibility determination.

6301 THE APPLICATION PROCESS

6301.1 Section 6301 describes the DCHA policies to distribute and make applications available (electronically and otherwise) and accept applications. Section 6301 also describes DCHA's obligation to ensure the accessibility of the application process.

6301.2 Any family that wishes to reside in public housing must apply for admission to the public housing program. DCHA will include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of DCHA's application.

6301.3 DCHA shall use a two-step application process;

(a) Under the two-step application process, DCHA initially shall require families to provide only the information needed to determine the family's placement on the waiting list (as listed in 6302.1). As described in 6302, DCHA will maintain site-based waiting lists (SBWL) and thus will require that, at application, families select up to five (5) sites/properties where they would like to be added to the waiting list;

(b) Families may request assistance in completing their application from DCHA. Upon request, DCHA may provide this assistance in-person or by phone;

(c) Completed applications must be returned to DCHA by portal (available on DCHA's website). Upon request, DCHA may permit an applicant to submit their application in person at DCHA's office.; and

(d) Applications must be filled out completely in order to be accepted by DCHA for processing.

6301.4 DCHA will take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the standard application process as noted in § 6301.3(b).

6301.5 DCHA will provide reasonable accommodation as needed for persons with disabilities to make the application process fully accessible. The application process will be fully accessible. Chapter 61 provides DCHA's policies related to providing reasonable accommodations for people with disabilities and to advertise widely to diverse communities.

6301.6 Chapter 61 provides DCHA's policies related to ensuring access to people with LEP. The application process will comply with the requirements set forth in Chapter 61 and in DCHA's LAP.

6301.7 [RESERVED]

6301.8 No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

6301.9 DCHA uses a pre-application to place families on the site-based waiting list(s) for the sites/properties that the family has selected. A pre-application is a short form application used to gather only the information necessary to place the applicant on the appropriate waiting list.

6301.10 DCHA shall send written notification via email acknowledging receipt of the application. Applicants shall be placed on a site-based waiting list.

6301.11 If a site-based waiting list is opened for a finite period, DCHA will use a random selection method to select and place applicants on the waiting list; DCHA may limit the number of applicants selected to be placed on the waiting list if the number of applications received exceeds the number of anticipated vacancies. If a site-based waiting list is continuously open, applicants will be placed on the waiting list according to the date and time they submitted their application.

6301.12 DCHA shall assign families on the waiting list according to the bedroom size for which a family qualifies as established in its occupancy standards.

6301.13 Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (if the unit is not overcrowded according to DCHA standards and local codes). However, in these cases, the family must agree not to request a transfer for two (2) years after admission, unless they have a change in family size or composition.

6301.14 Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. When the family is selected from the waiting list, DCHA shall determine eligibility and suitability for admission to the program.

6302 MANAGING THE WAITING LIST

6302.1 The waiting list shall contain the following information for each applicant listed:

(a) Name and social security number of head of household;

(b) Unit size required (number of family members);

(c) Amount and source of annual income;

(d) Accessibility requirement, if any;

(e) Date and time of application or application number;

(f) Waiting list position;

(g) Household type (family, elderly, disabled);

(h) Race and ethnicity of the head of household;

(i) The specific site(s) or properties selected; and

(j) Preferred language.

6302.2 DCHA has obtained HUD approval and will establish site-based waiting lists. DCHA will maintain a site-based waiting list for each Public Housing site or property in the agency inventory. Site-based waiting lists allow families to select up to five (5) sites/properties where they wish to reside and will be consistent with all applicable civil rights and fair housing laws and regulations.

6302.3 As of the effective date of the ACOP, DCHA shall maintain one community-wide waitlist for public housing applicants. Once all applicants on the existing community-wide waiting list have been drawn from the waiting list, DCHA will establish and maintain site-based waiting lists where applicants can apply for the public housing development of their choice. Prior to establishing site-based waiting lists, DCHA will exhaust the existing community-wide waiting list for public housing applicants. No applicant to a site-based waiting list will be selected from the waiting list until all applicants to the existing community-wide waiting list have been selected from the waiting list.

6302.4 DCHA will manage and maintain site-based waiting lists; applicants can apply for up to five (5) sites/properties of their choice.

6302.5 Public housing applicants may also apply and be placed on the waiting list for any tenant-based or project-based voucher or moderate rehabilitation program that DCHA operates if:

(a) The other programs' waiting lists are open; and

(b) The family is qualified for the other programs.

6302.6 DCHA will not merge the public housing waiting lists with the waiting list for any other program DCHA operates.

6302.7 [RESERVED].

6302.8 DCHA will close a site-based waiting list when there are enough applicants for anticipated vacancies. Where DCHA has other criteria that require a specific

category of family, DCHA can elect to continue to accept applications from these applicants while closing the waiting list to others.

6302.9 If the waiting list has been closed, the waiting list or a portion of the waiting list may be reopened at any time.

6302.10 DCHA shall announce the reopening of a site-based waiting list at least ten (10) business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information shall be contained in the notice.

(a) The notice shall inform applicants of the date, time, method, and place applications can be obtained and submitted, all methods by which applications will be accepted, how applications will be ordered on the waiting list, when applications will be accepted, a point of contact who can answer questions, any limitations on who may apply, and any other information the applicant may need to successfully submit the application. DCHA will also state any applicable limitations on who may apply to the waiting list and indicate if DCHA will limit the number of applications accepted during the re-opening.

(b) To ensure that public notices broadly reach potential applicants in all communities throughout the housing market area, DCHA shall distribute public notices to local community-based organizations; distribute the notice online through DCHA's website or social media platforms and other online platforms for local housing news; and make use of any local newspapers of general circulation, minority media, and other suitable means; and

(c) DCHA shall give public notice by publishing the relevant information in The Washington Post Sunday Edition, other minority media and posted on the DCHA website.

6302.11 DCHA will conduct outreach as necessary to ensure that DCHA has a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that DCHA is affirmatively furthering fair housing and complying with the Fair Housing Act.

6302.12 Because HUD requires DCHA to admit a specified percentage of extremely low-income families, DCHA may need to conduct special outreach to ensure that an adequate number of such families apply for public housing.

6302.13 [RESERVED].

6302.14 [RESERVED].

6302.15 DCHA shall monitor the characteristics of the population being served and the

characteristics of the population in DCHA's jurisdiction. Targeted outreach efforts shall be undertaken if a comparison suggests that certain populations are being underserved.

6302.16 While the family is on the waiting list, the family must report changes to their contact information, including current residence, mailing address, and phone number, as soon as possible. Additionally, the family must also inform DCHA of changes in family size or composition or the changes must be submitted in writing.

6302.17 When an applicant reports a change that affects their placement on the waiting list, the waiting list shall be updated accordingly.

6302.18 Waiting list admissions shall take precedence over transfers at the ratio of five (5) new admissions from the waiting list to one (1) transfer. Emergency transfers, defined in § 7701, and reasonable accommodation transfers are not subject to this ratio.

6302.19 The decision to remove an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to DCHA's request for information or updates because of the family member's disability, DCHA must, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation.

6302.20 The waiting list shall be updated as needed to ensure that all applicant information is current and timely;

6302.21 To update the waiting list, DCHA will send an update request to each family on the waiting list to determine whether the family continues to be interested in the program.

6302.22 DCHA will send the update request to the most current contact information reported by the family, including but not limited to their mailing address and email address. The update request shall provide a deadline by which the family must respond and shall state that failure to respond will result in the applicant's name being removed from the waiting list.

6302.23 The family's response must be in writing. Responses should be received by DCHA not later than thirty (30) calendar days from the date of DCHA letter.

6302.24 If the family fails to respond within thirty (30) calendar days, the family shall be removed from the waiting list without further notice.

6302.25 If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

6302.26 If the notice is returned by the post office with a forwarding address, the notice

shall be re-sent to the address indicated. The family shall have thirty (30) business days to respond from the date the letter was re-sent. If the family fails to respond within this time frame, the family will be removed from the waiting list without further notice.

6302.27 [RESERVED]

6302.28 If a family is removed from the waiting list for failure to respond, the family may request to be reinstated to the waiting list within six (6) months of the date of their withdrawal. DCHA may reinstate the family if the lack of response was due to one or more of the following:

(a) DCHA error;

(b) Circumstances beyond the family's control; or

(c) As a direct result of status as a victim of domestic violence, dating violence, sexual assault, and/or stalking, including an adverse factor resulting from such abuse.

6302.29 DCHA shall remove an applicant from the waiting list upon request by the applicant family. In such cases no informal hearing is required nor available based on the applicant's request to be removed from the waitlist.

6302.30 Once an applicant has been housed at a Public Housing site or property, the applicant will be removed from all other site-based waiting lists. However, the applicant may remain on the waiting list for the Housing Choice Voucher (HCV) program, if they have applied.

6302.31 [RESERVED]

6302.32 [RESERVED]

6303 TENANT SELECTION

6303.1 [RESERVED]

6303.2 [RESERVED]

6303.3 DCHA will maintain a clear record of all information required to verify that the family is selected from the waiting list as explained in this § 6300.

6303.4 DCHA's policies will be posted any place where DCHA receives applications.

6303.5 DCHA must provide a copy of its tenant selection policies upon request to any applicant or tenant.

6303.6 When an applicant or resident family requests a copy of DCHA's tenant selection policies, DCHA shall provide copies to them free of charge.

6303.7 DCHA may establish preferences for certain site-based waiting lists, which may establish an elderly family preference to be used in conjunction with a returning former resident of the site. These sites include, but are limited to, the Kenilworth 166 and The Asberry (Barry Farm Phase 1B) communities. Notwithstanding anything to the contrary in this ACOP, the definition of "elderly person" to be used at Kenilworth 166 and The Asberry (Barry Farm Phase 1B) sites shall be, pending HUD's approval of DCHA's FY 2024 Annual Plan, a person who is at least fifty-five (55) years of age and an "elderly family" shall be a family in which the head of household, co-head of household, or spouse is an elderly person.

6303.8 DCHA has a preference for any tenant-based or project-based family in the HCV program displaced due to Housing Quality Standards (HQS) noncompliance (in accordance with 24 CFR § 982.404(e)(2) and 24 CFR § 983.208(d)(6)(ii)). Specifically, DCHA will offer, and if accepted, provide the family a selection preference for an appropriate-size public housing unit that first becomes available for occupancy if:

(a) The housing assistance payment (HAP) contract is terminated or the unit is removed from a HAP contract due to failure to correct HQS deficiencies at least 90 days or a longer period as DCHA determines is reasonable necessary following the termination of the HAP contract or removal of the unit from the HAP contract, and

(b) The family is given a tenant-based voucher to move to a new unit, but

(c) The family is unable to lease a new tenant-based unit within the period provided by DCHA.

6303.9 HUD requires that extremely low-income families make up at least forty (40) percent of the families admitted to public housing during DCHA's fiscal year. Extremely low-income families are those with annual incomes at or below the federal poverty level or thirty percent (30%) of the area median income, whichever number is higher. To ensure this requirement is met, DCHA may skip non-extremely low-income families on the waiting list in order to select an extremely low-income family.

6303.10 Admissions of extremely low-income families to the DCHA's HCV program during a DCHA fiscal year that exceed the seventy-five percent (75%) minimum target requirement for the voucher program, shall be credited against the DCHA's basic targeting requirement in the public housing program for the same fiscal year. However, under these circumstances the fiscal year credit to the public housing

program must not exceed the lower of:

(a) Ten percent (10%) of public housing waiting list admissions during the DCHA fiscal year;

(b) Ten percent (10%) of waiting list admissions to DCHA's HCV program during the DCHA fiscal year; or

(c) The number of qualifying low-income families who commence occupancy during the DCHA fiscal year public housing units located in census tracts with a poverty rate of thirty percent (30%) or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

6303.11 DCHA shall monitor progress in meeting the extremely low-income family requirement throughout the fiscal year. Extremely low-income families shall be selected ahead of other eligible families on an as-needed basis to ensure that the income targeting requirement is met.

6303.12 [RESERVED].

6303.13 DCHA has received approval from HUD to establish a local definition of elderly. Accordingly, an elderly family means a family whose head, spouse, co-head, or sole member is a person who is at least fifty-five (55) years of age. Disabled family means a family whose head, spouse, co-head, or sole member is a person with disabilities.

6303.14 [RESERVED]

6303.15 [RESERVED]

6303.16 DCHA may not discriminate against elderly or disabled families that include children in accordance with the Fair Housing Amendments Act of 1988 and other applicable law.

6303.17 DCHA may designate projects or portions of a public housing project specifically for elderly or disabled families. DCHA must have a HUD-approved designated housing plan before the designation may take place.

6303.18 Among the designated developments, DCHA must also apply any preferences that it has established. If there are not enough elderly families to occupy the units in a designated elderly development, DCHA may allow near-elderly families to occupy the units. Near-elderly family means a family whose head, spouse, or co-head is at least fifty (50) years old, but is less than fifty-five (55) years old.

6303.19 If there are an insufficient number of elderly families and near-elderly families for

the units in a development designated for elderly families, DCHA must make available to all other families any unit that is ready for re-rental and has been vacant for more than sixty (60) consecutive days.

6303.20 The decision of any disabled family or elderly family not to occupy or accept occupancy in designated housing shall not have an adverse effect on their admission or continued occupancy in public housing or their position on or placement on the waiting list. However, this protection does not apply to any family who refuses to occupy or accept occupancy in designated housing because of the race, color, religion, sex, disability, familial status, or national origin of the occupants of the designated housing or the surrounding area.

6303.21 The protection discussed in § 6303.18 does apply to an elderly family or disabled family that declines to accept occupancy, respectively, in a designated project for elderly families or for disabled families, and requests occupancy in a general occupancy project or in a mixed population project.

6303.22 [RESERVED]

6303.23 DCHA's admission policy must be designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of the DCHA's deconcentration policies must be included in its MTW plan.

6303.24 DCHA's deconcentration policy must comply with its obligation to meet the income targeting requirement.

6303.25 Developments subject to the deconcentration requirement are referred to as "covered developments" and include general occupancy (family) public housing developments. The following developments are not subject to deconcentration and income mixing requirements:

(a) Developments operated by DCHA with fewer than one hundred (100) public housing units;

(b) Mixed population or developments designated specifically for elderly or disabled families;

(c) Developments operated by DCHA with only one general occupancy development;

(d) Developments approved for demolition or for conversion to tenant-based public housing; and

(e) Developments approved for a mixed-finance plan using HOPE VI or public housing funds.

6303.26 To implement the statutory requirement to deconcentrate poverty and provide for income mixing in covered developments, DCHA must comply in order with the following steps:

(a) DCHA will determine the average income of all families residing in all DCHA covered developments.

(b) DCHA will determine the average income of all families in all covered developments on an annual basis.

(c) DCHA will determine the average income (or median income, if median income was used in § 6303.26(b)) of all families residing in each covered development.

(d) In determining average income for each development, DCHA may adjust its income analysis for unit size.

(e) DCHA will determine the average income of all families residing in each covered development (not adjusting for unit size) on an annual basis.

(f) DCHA will then determine whether each of its covered developments falls above, within, or below the established income range (EIR), which is from eighty-five to one hundred fifteen percent (85% to 115%) of the average family income determined in § 6303.24(a) or (b). However, the upper limit must never be less than the income at which a family would be defined as an extremely low-income family (federal poverty level or thirty percent (30%) of median income, whichever number is higher);

(g) If covered developments have average incomes outside the EIR, DCHA will then determine whether or not these developments are consistent with its local goals and annual plan; and

(h) If the income profile for a covered development is not explained or justified in the annual plan submission, DCHA will include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

6303.27 DCHA's deconcentration policy may include, but is not limited to the following:

(a) Providing incentives to encourage families to accept units in developments where their income level is needed, including rent incentives, affirmative marketing plans, or added amenities;

(b) Targeting investment and capital improvements toward developments with

an average income below the EIR to encourage families with incomes above the EIR to accept units in those developments;

(c) Establishing a preference for admission of working families in developments below the EIR;

(d) Skipping a family on the waiting list to reach another family in an effort to further the goals of deconcentration; and

(e) Providing other strategies permitted by statute and determined by DCHA in consultation with the residents and the community through the annual plan process to be responsive to local needs and DCHA strategic objectives.

6303.28 For developments outside the EIR, DCHA shall take the following actions to provide for deconcentration of poverty and income mixing:

(a) Continue employment and self-sufficiency efforts for residents living in public housing to increase family's income;

(b) Utilize local preferences (if any) and income targeting to admit families whose income exceed thirty percent (30%) of the area median income (AMI); and

(c) Select ELI families ahead of other eligible families on an as-needed basis to ensure the income-targeting requirement is met.

6303.29 A family has the sole discretion whether to accept an offer of a unit made under the DCHA's deconcentration policy. DCHA must not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under the DCHA's deconcentration policy.

6303.30 If, at annual review, the average incomes at all general occupancy developments are within the EIR, DCHA will be considered to be in compliance with the deconcentration requirement and no further action is required.

6303.31 [RESERVED].

6303.32 Families will be selected from the waiting list based on the waiting list position assigned by random selection method (if the waiting list was opened for a finite period) or by date and time of application (if the waiting list is open continuously). When selecting applicants from the waiting list, DCHA shall match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. DCHA shall offer the unit to the applicant who qualifies for that unit size or type, or that requires the accessibility features based upon date and time of the application:

(a) By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application; and

(b) Factors such as deconcentration or income mixing, and income targeting shall also be considered in accordance with HUD requirements and DCHA policy.

6303.33 DCHA shall notify the family in writing when they are selected from the waiting list. DCHA may contact the family by first-class mail, email, and/or phone.

6303.34 The notice shall inform the family of the following:

(a) Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview;

(b) Who is required to attend the interview;

(c) Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation;

(d) Documents that must be provided at the interview to document eligibility for a preference, if applicable; and

(e) Other documents and information that should be brought to the interview.

6303.35 If a notification letter is returned to DCHA with no forwarding address, the family shall be removed from the waiting list without further notice.

6303.36 The failure of the applicant to respond to the DCHA notice sent pursuant to § 6303.33 prevents DCHA from making an eligibility determination; therefore, no informal hearing shall be offered.

6303.37 Being invited to attend an interview does not constitute admission to the program.

6303.38 Families selected from the waiting list are required to participate in an eligibility interview.

(a) All adult members of the household must attend the eligibility appointment;

(b) The interview shall be conducted only if the head of household or spouse or co-head provides appropriate documentation of legal identity. If the family representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been

obtained;

(c) Pending disclosure and documentation of social security numbers, DCHA shall allow the family to retain its place on the waiting list for thirty (30) calendar days. If not, all household members have disclosed their SSNs at the next time a unit becomes available, DCHA shall offer a unit to the next eligible applicant family on the waiting list;

(d) The family must provide the information necessary to establish the family's eligibility, including suitability, and to determine the appropriate amount of rent the family shall pay. The family must also complete required forms, provide required signatures, and submit required documentation. If any materials are missing, DCHA shall provide the family with a written list of items that must be submitted;

(e) Any required documents or information that the family is unable to provide at the interview must be provided within ten (10) business days of the interview. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family shall be sent a notice of denial;

(f) DCHA will permit the family to have an advocate, interpreter, or other assistant assist the family with the application and the interview process;

(g) Interviews shall be conducted in English. For LEP applicants, DCHA shall provide translation and interpretation services in accordance with § 6104, and as necessary, may reschedule the interview to accommodate the provision of such services; and

(h) If the family is unable to attend a scheduled interview, the family should contact DCHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, DCHA shall send another notification letter with a new interview appointment time. Applicants who fail to attend two (2) scheduled interviews without DCHA approval shall be removed from the waiting list. The second appointment letter shall state that failure to appear for the appointment without a request to reschedule shall be interpreted to mean that the family is no longer interested. Such failure to act on the part of the applicant prevents DCHA from making an eligibility determination, therefore DCHA shall not offer an informal hearing.

6303.39 [RESERVED].

6303.40 DCHA shall notify a family in writing of their eligibility within ten (10) business days of the determination and shall provide the approximate date of occupancy

insofar as that date can be reasonably determined.

6303.41 DCHA shall expedite the administrative process for determining eligibility to the extent possible for applicants who are admitted to the public housing program as a result of an emergency transfer from another DCHA program.

6303.42 At final determination of eligibility, as applicants are pulled from the waiting lists and forwarded for lease-up, DCHA extended the length of time to one hundred eighty (180) days that the verified application data is deemed valid per its approved MTW policy.

6303.43 If DCHA determines that the family is ineligible, DCHA shall send written notification of the ineligibility determination within ten (10) business days of the determination. The notice shall specify the reasons for ineligibility and shall inform the family of its right to request an informal hearing.

6303.44 If DCHA uses a criminal record or sex offender registration information obtained under 24 CFR Part 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before DCHA can move to deny the application.

6303.45 DCHA must provide the family a notice of VAWA rights (form HUD-5380) as well as the HUD VAWA self-certification form (form HUD-5382) in accordance with VAWA, at the time the applicant is provided assistance or at the time the applicant is denied assistance. This notice must be provided in both of the following instances:

(a) When a family actually begins receiving assistance (lease execution); or

(b) When a family is notified of its ineligibility.

Chapter 64, LOW RENT HOUSING: PUBLIC HOUSING TRANSFER POLICY, of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 64 OCCUPANCY STANDARDS AND UNIT OFFERS

6400 INTRODUCTION

6400.1 This chapter contains policies for assigning unit size and making unit offers. DCHA's waiting list and selection policies are contained in Chapter 63. Together, Chapters 63 and 64 of the ACOP comprise DCHA's Tenant Selection and Assignment Plan (TSAP).

6400.2 Policies in this chapter are organized in two sections:

(a) Occupancy Standards. Section 6401 contains DCHA's standards for determining the appropriate unit size for families of different sizes, compositions, and types; and

(b) Unit Offers. Section 6402 contains DCHA's policies for making unit offers, and describes actions to be taken when unit offers are refused.

6401 OCCUPANCY STANDARDS

6401.1 Occupancy standards are established by DCHA to ensure that units are occupied by families of the appropriate size. This policy maintains the maximum usefulness of the units, while preserving them from underutilization or from excessive wear and tear due to overcrowding.

6401.2 [RESERVED]

6401.3 In selecting a family to occupy a particular unit, DCHA will match characteristics of the family with the type of unit available, for example, number of bedrooms. See 24 CFR § 960.206(c).

6401.4 DCHA determines the size of unit the family qualifies for under the occupancy standards. DCHA does not determine who shares a bedroom or sleeping room.

6401.5 DCHA's occupancy standards for determining unit size will be applied in a manner consistent with fair housing requirements.

6401.6 DCHA shall use the same occupancy standards for each of its developments.

6401.7 DCHA will apply occupancy standards consistent with the stated gender provided by the family. DCHA may make exceptions to this occupancy standard policy where cases of gender identity and other household members are concerned. Exceptions will be made on a case-by-case basis.

6401.8 Generally, DCHA shall assign one (1) bedroom for each two (2) persons within the household, except in the following circumstances:

(a) Two (2) minors of different genders will not be required to share a bedroom; however, they may share a bedroom at the family's request;

(b) Two (2) minors of the same gender will share a bedroom regardless of age;

(c) A head of household and their spouse/partner will be allocated one bedroom; a single head of household without a spouse/domestic partner will not be required to share a room with another household member.

(d) A pregnant, sole-member head of household will be assigned a two (2)

bedroom unit;

(e) Live-in aides will be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family;

(f) Single person families will be allocated a zero (0) or one (1) bedroom;

(g) Children related to a household member by birth, adoption, or court awarded custody will be considered when determining unit size;

(h) Foster children will be considered when determining unit size. The family may add foster children to the household as long as it does not overcrowd the unit based on DCHA's occupancy standards;

(i) Children away at school, but for whom the unit is considered the primary residence, and children temporarily placed outside the home, will be considered when determining unit size;

(j) Children in the process of being adopted will be considered when determining unit size;

(k) Children who will live in the unit less than fifty percent (50%) of the time will not be considered when determining unit size; and

(l) DCHA shall reference the following standards in determining the appropriate unit bedroom size for a family:

BEDROOM SIZE	MINIMUM NUMBER OF PERSONS	MAXIMUM NUMBER OF PERSONS
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8
5	6	10
6	8	12

6401.9 DCHA shall consider granting exceptions to the occupancy standards at the family's request if DCHA determines the exception is justified by the relationship, age, sex, health or disability of family members, or other personal circumstances.

6401.10 (a) An exception may be granted for a smaller bedroom size in cases where the number of household members exceeds the maximum number of persons allowed for the unit size in which the family resides (according to the chart in § 6401.8) and the family does not want to transfer to a larger size unit.

(b) When evaluating exception requests DCHA shall consider the size and configuration of the unit. In no case shall DCHA grant an exception that is in violation of local housing or occupancy codes, regulations or laws.

6401.11 Requests from applicants to be placed on the waiting list for a unit size smaller than designated by the occupancy standards shall be approved as long as the unit is not overcrowded according to local code, and the family agrees not to request a transfer for a period of two (2) years from the date of admission, unless they have a subsequent change in family size or composition.

6401.12 To prevent vacancies, DCHA may provide an applicant family with a larger unit than the occupancy standards permit. However, in these cases the family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is an appropriate size unit available for the family to transfer to.

6401.13 DCHA may grant exceptions as a reasonable accommodation in accordance with the provisions in Chapter 61.

6401.14 All requests for exceptions to the occupancy standards must be submitted in writing and may be submitted by mail, email, or in person.

6401.15 In the case of a request for exception as a reasonable accommodation, DCHA shall encourage the resident to make the request in writing using a reasonable accommodation request form. However, DCHA shall consider the exception request any time the resident indicates that an accommodation is needed whether or not a formal written request is submitted.

6401.16 Requests for a larger size unit must explain the need or justification for the larger size unit, and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source, unless the disability and the disability-related request for accommodation is readily apparent or otherwise known.

6401.17 DCHA will notify the family of its decision within fifteen (15) business days of receiving the family's request and all required verification documents. Reasonable accommodation requests will follow the provisions in Chapter 61 of this Title.

6402 UNIT OFFERS

6402.1 [RESERVED]

6402.2 This § 6402 describes DCHA's policies with regard to the number of unit offers that will be made to applicants selected from the waiting list(s). This § 6402 also describes DCHA's policies for offering units with accessibility features.

6402.3 DCHA shall maintain a record of units offered, including location, date, and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.

6402.4 Except for transfers based on a reasonable accommodation and emergency transfers, waiting list admissions shall take precedence over transfers at the ratio of five (5) new admissions from the waiting list to one (1) transfer.

6402.5 DCHA shall offer two (2) units within the development(s) selected by the applicant. If more than one unit of the appropriate type and size is available, the first unit to be offered will be the first unit that is ready for occupancy.

6402.6 If an applicant refuses two (2) unit offers without good cause, as defined in 6402.10, applicant shall be removed from all site-based waiting lists.

6402.7 Applicants must accept or refuse a unit offer within three (3) business days of the date of the unit offer.

6402.8 DCHA may offer a unit to an applicant by email or by telephone. For offers made by phone, DCHA will also confirm the unit offer in writing, by mail or email.

6402.9 Applicants may refuse to accept a unit offer for "good cause" without adversely affecting their position on any site-based waiting list.

6402.10 "Good cause" includes situations in which an applicant is willing to move but is unable to do so at the time of the unit offer, or the applicant demonstrates that acceptance of the offer would cause undue hardship not related to considerations of the applicant's race, color, national origin, etc. Examples of good cause for refusal of a unit offer include, but are not limited to, the following:

(a) The family demonstrates that the unit offered is inaccessible to a family member's employment, education, job training, children's day care, or educational program for children with disabilities; and will require them to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities.

(b) The family demonstrates to DCHA's satisfaction that accepting the offer will place a family member's life, health, or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders; other court orders; risk assessments related to witness protection

from a law enforcement agency; or documentation of domestic violence, dating violence, sexual assault, and/or stalking in accordance with Chapter 81 of this Title. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption;

(c) A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal household member;

(d) The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a thirty (30) day notice to move; or

(e) The unit has lead-based paint and the family includes children under the age of six (6).

6402.11 In the case of a unit refusal for good cause, the applicant shall not be removed from any waiting list. The applicant shall remain at the top of the waiting list until the family receives the required number of unit offers specified in § 6402.6 for which they do not have good cause to refuse.

6402.12 Good cause refusals are not subject to the unit offer limit described in § 6402.4.

6402.13 The applicant must provide documents to verify their reason for a good cause refusal. If the applicant is unable to provide documents for verification, DCHA will consider the offer to be refused without good cause.

6402.14 When an applicant rejects the final unit offer without good cause, DCHA shall remove the applicant's name from all site-based waiting lists and send notice in writing to the family of such removal by letter and/or email. The notice shall inform the family of their right to request an informal hearing and the process for doing so.

6402.15 The Applicant may reapply for assistance if the waiting list is open. If the waiting list is not open, the Applicant must wait to reapply until DCHA opens the waiting list.

6402.16 When an accessible unit becomes vacant, before offering such units to a non-disabled applicant, DCHA must offer such units:

(a) First, to a current resident of another unit of the same development, or other public housing development under DCHA control, who has a disability that requires the special features of the vacant unit and is occupying a unit not having such features, or if no such occupant exists; or

(b) Second, to an eligible qualified applicant on the waiting list having a

disability that requires the special features of the vacant unit.

6402.17 Families requiring an accessible unit may be over-housed in such a unit if there are no resident or applicant families of the appropriate size who also require the accessible features of the unit.

6402.18 When there are no resident or applicant families requiring the accessible features of the unit, including families who would be over-housed, DCHA will offer the unit to a non-disabled applicant.

6402.19 When offering an accessible unit to a non-disabled applicant, DCHA will require the applicant to agree to move to an available non-accessible unit within thirty (30) days when either a current resident or an applicant needs the features of the unit and there is another unit available for the non-disabled family. This requirement will be a provision of the lease agreement.

6402.20 Upon leasing up, the family will be removed from all public housing waiting lists.

Chapter 65, LOW RENT HOUSING: MAINTENANCE AND INSPECTION, of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 65 INCOME AND RENT DETERMINATIONS

6500 INTRODUCTION

6500.1 A family's annual income is used to determine their income eligibility for the public housing program and is also used to calculate the amount of the family's rent payment. DCHA will use the policies and methods described in this chapter to ensure that only income-eligible families receive assistance and that no family pays more or less rent than is required under the regulations.

6501 ANNUAL INCOME

6501.1 Annual income includes:

(a) All amounts, not specifically excluded in 24 CFR § 5.609(b);

(b) All amounts received from all sources by each member of the family who is eighteen (18) years of age or older or is the head of household or spouse;

(c) Unearned income by or on behalf of each dependent who is under eighteen (18) years of age; and

(d) Upon approval in the MTW Plan, imputed returns of assets based on the current passbook savings rate when the total value of family assets exceeds Fifty Thousand Dollars ($50,000).

6501.2 In addition to this general definition, the regulations at 24 CFR § 5.609(b) provide a comprehensive listing of all sources of income that are excluded from annual income. All income is included unless it is specifically excluded by regulation.

6501.3 Annual income includes "all amounts received," not the amount that a family may be legally entitled to receive but did not receive.

6501.4 Income received by all family members must be counted unless specifically excluded by the regulations.

6501.5 The rules on which sources of income are counted vary somewhat by family member. The chart below summarizes how household composition affects income determinations.

Summary of Income Included and Excluded by Person	
Live-in aides	Income from all sources is excluded.
Foster child or foster adult	Income from all sources is excluded.
Head, spouse, or co-head Other adult family members	All sources of income not specifically excluded by the regulations are included.
Children under eighteen (18) years of age	Employment income is excluded. All other sources of income, except those specifically excluded by the regulations, are included.
Full-time students eighteen (18) years of age or older (not head, spouse, or co-head)	Employment income in excess of the dependent deduction is excluded. All other sources of income, except those specifically excluded by the regulations, are included.

6501.6 [RESERVED]

6501.7 [RESERVED]

6501.8 [RESERVED]

6501.9 [RESERVED]

6501.10 [RESERVED]

6501.11 [RESERVED]

6501.12 [RESERVED]

6501.13 [RESERVED]

6501.14 [RESERVED]

6501.15 [RESERVED]

6501.16 [RESERVED]

6501.17 [RESERVED]

6501.18 [RESERVED]

6501.19 [RESERVED]

6501.20 [RESERVED]

6501.21 [RESERVED]

6501.22 [RESERVED]

6501.23 [RESERVED]

6501.24 [RESERVED]

6501.25 [RESERVED]

6501.26 [RESERVED]

6501.27 [RESERVED]

6501.28 [RESERVED]

6501.29 [RESERVED]

6501.30 [RESERVED]

6501.31 [RESERVED]

6501.32 [RESERVED]

6501.33 [RESERVED]

6501.34 [RESERVED]

6501.35 [RESERVED]

6501.36 [RESERVED]

6501.37 [RESERVED]

6501.38 [RESERVED]

6501.39 [RESERVED]

6501.40 [RESERVED]

6501.41 [RESERVED]

6501.42 [RESERVED]

6501.43 [RESERVED]

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6502 DETERMINING ANNUAL INCOME

6502.1 Unless specifically excluded by the regulations (see the section on Annual Income Exclusions), the income of all family members approved to live in the unit will be counted, even if the family member is temporarily absent from the unit. See § 6201 for DCHA's definition of temporarily absent.

6502.2 DCHA is required to count all income anticipated to be received from a source outside the family during the twelve (12) month period following admission or annual reexamination effective date.

6502.3 DCHA generally shall use current circumstances to determine anticipated income for the coming twelve (12) month period, following the verification requirements outlined in Chapter 66. HUD authorizes DCHA to use other than current circumstances to anticipate income when:

(a) An imminent change in circumstances is expected;

(b) It is not feasible to anticipate a level of income over a twelve (12) month period (e.g., seasonal or cyclic income); and

(c) DCHA believes that past income is the best available indicator of expected future income.

6502.4 DCHA will use HUD's Enterprise Income Verification (EIV) system as required by HUD and follow all verification policies as outlined in Chapter 66.

6502.5 When DCHA cannot readily anticipate income based upon current circumstances (e.g., in the case of seasonal employment, unstable working hours, or suspected fraud), DCHA will calculate income based on patterns of employment, paid benefits, and receipt of other income and will use the results of this analysis to establish annual income;

(a) Any time current circumstances are not used to project annual income, a clear rationale for the decision shall be documented in the file. In all such cases the family may present information and documentation to DCHA to show why the historic pattern does not represent the family's anticipated income;

(b) If DCHA verifies an upcoming increase or decrease in income, annual income shall be calculated by applying each income amount to the appropriate part of the twelve (12) month period;

(c) The family may present information that demonstrates that implementing a change before its effective date would create a hardship for the family. In such cases, DCHA will calculate annual income using current circumstances and then require an interim reexamination when the change actually occurs.

6502.6 The earned income of each member of the family who is eighteen (18) years of age or older, or who is the head of household or spouse/cohead regardless of age, is included in annual income. Income received as a day laborer or seasonal worker is also included in annual income, even if the source, date, or amount of the income varies.

(a) "Earned income" means income or earnings from wages, tips, salaries, other employee compensation, and net income from self-employment. Earned income does not include any pension or annuity, transfer payments (meaning payments made or income received in which no goods or services are being paid for, such as welfare, Social Security, and governmental subsidies for certain benefits), or any cash or in-kind benefits.

(b) A "day laborer" is defined as an individual hired and paid one day at a time without an agreement that the individual will be hired or work again in the future.

(c) A "seasonal worker" is defined as an individual who is hired into a short-term position (e.g., for which the customary employment period for the position is six months or fewer) and the employment begins about the same time each year (such as summer or winter). Typically, the individual is hired to address seasonal demands that arise for the particular employer or industry.

6502.7 DCHA will include in annual income the full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation.

6502.8 All regular pay, special pay, and allowances of a member of the Armed Forces are counted except for the special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

6502.9 Employment income earned by minors is not included in annual income. All other sources of unearned income for minors, except those specifically excluded by the regulations, are included.

6502.10 The earned income of a dependent full-time student in excess of the amount of the dependent deduction is excluded from annual income. All sources of unearned income, except those specifically excluded by the regulations, are included.

(a) A family member other than the head of household or spouse/cohead is considered a dependent full-time student if they are attending school or vocational training on a full-time basis.

(b) Full-time status is defined by the educational or vocational institution the student is attending.

6502.11 HOTMA removed the statutory authority for the Earned Income Disallowance (EID). The EID is available only to families that are eligible for and participating on the program as of December 31, 2023, or before; no new families may be added on or after January 1, 2024.

6502.12 If a family is receiving the EID prior to or on the effective date of December 31, 2023, they are entitled to the full amount of the benefit for a full twenty-four (24) month period.

6502.13 The policies below are applicable only to such families. No family will still be receiving the EID after December 31, 2025. The EID will sunset on January 1, 2026, and DCHA policies below will no longer be applicable as of that date or when the last qualifying family exhausts their exclusion period, whichever is sooner:

(a) Calculation of the earned income disallowance for an eligible member of a qualified family begins with a comparison of the member's current income with their "baseline income." The family member's baseline income is their income immediately prior to qualifying for the EID. The family member's baseline income remains constant throughout the period that they are participating in the EID.

(b) During the initial exclusion period of twelve (12) consecutive months, the full amount (one hundred percent (100%)) of any increase in income attributable to new employment or increased earnings is excluded.

(c) During the second twelve (12) month exclusion period, DCHA will exclude fifty percent (50%) of any increase in income attributable to new employment or increased earnings.

(d) The EID has a two-year (24-month) lifetime maximum. The two-year eligibility period begins at the same time that the initial exclusion period begins and ends twenty-four (24) months later. During the twenty-four (24) month period, an individual remains eligible for EID even if they begin to receive assistance from a different housing agency, move between public housing and Section 8 assistance, or have breaks in assistance. The EID will sunset on January 1, 2026. In no circumstances will a family member's exclusion period continue past January 1, 2026.

6502.14 Annual income includes net income from the operation of a business or profession. "Net income" is gross income minus business expenses that allows the business to operate. "Gross income" is all income amounts received into the business, prior to the deduction of business expenses.

(a) Expenditures for business expansion or amortization of capital indebtedness may not be used as deductions in determining net income.

(1) "Business expansion" is defined as any capital expenditures made to add new business activities, to expand current facilities, or to operate the business in additional locations.

(2) "Capital indebtedness" is defined as the principal portion of the payment on a capital asset such as land, buildings, and machinery. This means DCHA will allow as a business expense interest, but not principal, paid on capital indebtedness.

(b) An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations.

(c) Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

(d) Net income will be included when it matches gross income when no business expenses are reported and/or verified by the family.

(e) If the net income from a business is negative, no business income will be included in annual income; a negative amount will not be used to offset other family income.

(f) If a business is co-owned with someone outside the family, the family must document the share of the business it owns. If the family's share of the income is lower than its share of ownership, the family must document the reasons for the difference.

6502.15 If a business entity (e.g., limited liability company or limited partnership) owns an asset, then the family's asset is their ownership stake in the business, not some portion of the business's assets. However, if the family holds the assets in their own name (e.g., they own one-third of a restaurant) rather than in the name of a business entity, then the percentage value of the asset owned by the family is what is counted toward net family assets.

6502.16 Annual income includes income received as an independent contractor is included in annual income, even if the source, date, or amount of the income varies.

(a) An "independent contractor" is defined as an individual who qualifies as an independent contractor instead of an employee in accordance with the Internal Revenue Code Federal income tax requirements and whose

earnings are consequently subject to the Self-Employment Tax. In general, an individual is an independent contractor if the payer has the right to control or direct only the result of the work and not what will be done and how it will be done.

6502.17 Periodic payments are forms of income received on a regular basis. These will be included unless excluded under the section on Annual Income Exclusions.

(a) Income that has a discrete end date and will not be repeated beyond the coming year is excluded from a family's annual income because it is nonrecurring income. However, this does not include unemployment income and other types of periodic payments that are received at regular intervals (such as weekly, monthly, or yearly) for a period of greater than one (1) year that can be extended.

(b) Insurance payments and settlements for personal or property losses, including but not limited to payments under health insurance, motor vehicle insurance, and workers' compensation, are excluded from annual income.

(c) Periodic payments paid at regular intervals (such as weekly, monthly, or yearly) for a period of greater than one year that are received in lieu of wages for workers' compensation are included in annual income. Payments received in lieu of wages for worker's compensation are excluded, even if paid in periodic payments, if the income will last for a period of less than one year.

6502.18 DCHA will include in annual income lump sums received as a result of delays in processing periodic payments (other than those specifically excluded by the regulation), such as unemployment or welfare assistance.

(a) When a delayed-start payment is received that is to be included and the family reports this during the period in which DCHA is processing a regular recertification, DCHA will adjust the family's rent retroactively for the period the payment was intended to cover.

(b) If the delayed-start payment is received outside of the time DCHA is processing a regular recertification, then DCHA will consider whether the amount meets the threshold to conduct an interim reexamination. If so, DCHA will conduct an interim in accordance with policies in this ACOP. If not, DCHA will consider the amount when processing the family's next annual recertification.

6502.19 Income received from any account under a retirement plan recognized as such by the IRS, including individual retirement arrangements (IRAs), employer retirement plans, and retirement plans for self-employed individuals is not considered actual income from assets. However, any distribution of periodic payments from such

accounts is included in annual income at the time they are received by the family.

6502.20 An asset moved to a retirement account held by a member of the family is not considered to be an asset disposed of for less than fair market value.

6502.21 DCHA is required to use the gross benefit amount to calculate annual income from Social Security benefits, including Supplemental Security Income (SSI).

(a) Annually in October, the Social Security Administration (SSA) announces the cost-of-living adjustment (COLA) by which federal Social Security and SSI benefits are adjusted to reflect the increase, if any, in the cost of living. Effective the day after the SSA has announced the COLA, DCHA is required to factor in the COLA when determining Social Security and SSI annual income for regular and interim recertifications of family income that have not yet been completed and will be effective January 1 or later of the upcoming year.

(b) When a family member's benefits are garnished, levied, or withheld to pay restitution, child support, tax debt, student loan debt, or other debts, DCHA must use the gross amount of the income, prior to the reduction, to determine a family's annual income.

(c) However, when the SSA overpays an individual, resulting in withholding or deduction from their benefit amount until the overpayment is paid in full, DCHA must use the reduced benefit amount after deducting only the amount of the overpayment withholding from the gross benefit amount.

6502.22 DCHA will include as annual income only those child support and/or alimony payments that are actually received by the family.

6502.23 If no payments have been made in the last one hundred eighty (180) days, DCHA will not include child support and/or alimony in annual income.

6502.24 DCHA will include averaged and annualized payments (excluding lump sum payments) received over the last six (6) full months, unless the family can verify that they expect to receive a different amount going forward.

6502.25 Public (or welfare) assistance—including Temporary Assistance for Needy Families (TANF) and any federal, state, or local government payments to individuals or families that are not excluded by HUD or DCHA —is included as annual income.

6502.26 When a welfare agency imposes a sanction that reduces a resident family's TANF income because the family commits fraud or fails to comply with the agency's economic self-sufficiency program or work activities requirement, DCHA must include in annual income the imputed welfare income; however, this requirement

does not apply to applicant households (for example, if the individual receiving the TANF was not an assisted resident at the time of the sanction, the welfare income cannot be imputed). The imputed welfare income is the amount that the benefits were reduced as a result of the sanction.

6502.27 DCHA must request from the welfare agency verification of the reason for the reduction of benefits and the amount of the reduction of benefits. The requirement under section § 6502.26 does not apply to reductions in welfare benefits:

(a) At the expiration of the lifetime or other time limit on the payment of welfare benefits,

(b) If a family member is unable to find employment even though the family member has complied with the welfare agency economic self-sufficiency or work activities requirements, or

(c) Because a family member has not complied with other welfare agency requirements.

6502.28 The amount of the imputed welfare income is offset by the amount of additional income the family begins to receive after the sanction is imposed. When the additional income equals or exceeds the imputed welfare income, the imputed income is reduced to zero.

6502.29 A "trust" is a legal arrangement generally regulated by state law in which one party (the creator or grantor) transfers property to a second party (the trustee) who holds the property for the benefit of one or more third parties (the beneficiaries).

(a) For a revocable trust under the control of the family or household, any actual income earned by the trust, regardless of whether it is distributed, shall be considered income to the family at the time it is received by the trust.

(b) See the section on Annual Income Exclusions for additional information concerning income from trusts.

6502.30 Nonrecurring income, which is income that will not be repeated beyond the coming year (such as twelve (12) months following the effective date of the certification) based on information provided by the family, is excluded from annual income. See the section on Annual Income Exclusions.

(a) Income received as an independent contractor, day laborer, or seasonal worker is not excluded from income as nonrecurring income, even if the source, date, or amount of the income varies.

(b) Income that has a discrete end date and will not be repeated beyond the coming year during the family's upcoming regular recertification period

will be excluded from a family's annual income as nonrecurring income. This exclusion does not include unemployment income and other types of periodic payments that are received at regular intervals (such as weekly, monthly, or yearly) for a period of greater than one year that can be extended.

6502.31 DCHA will include amounts of financial assistance an individual receives in excess of tuition and other required fees and charges when determining annual income.

(a) Any assistance to students under Section 479B of the Higher Education Act of 1965 (Tile IV of the HEA) will be excluded from the family's annual income, as will any other grant-in-aid, scholarship, or other assistance amounts an individual receives for the actual covered costs charged by the institute of higher education not otherwise excluded by the federally mandated income exclusions. See the section on Annual Income Exclusions.

(b) For a student who is not the head of household or spouse/co-head, actual covered costs also include the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

(c) The student financial assistance may be paid directly to the student or to the educational institution on the student's behalf. However, any student financial assistance paid to the student must be verified by DCHA.

(d) DCHA will verify tuition and fees according to its verification policies.

6502.32 DCHA will calculate student financial assistance as follows:

(a) If a student only receives financial assistance under Title IV of the HEA and does not receive any other student financial assistance, DCHA will exclude the full amount of the assistance received under Title IV from the family's annual income. DCHA will not calculate actual covered costs in this case.

(b) If the student does not receive any assistance under Title IV of the HEA but does receive assistance from another source, DCHA will first calculate the actual covered costs to the student in accordance with 24 CFR § 5.609(b)(ii). DCHA will then subtract the total amount of the student's financial assistance from the student's actual covered costs. DCHA will include any amount of financial assistance in excess of the student's actual covered costs in the family's annual income.

(c) When a student receives assistance from both Title IV of the HEA and from other sources, DCHA will first calculate the actual covered costs to the student in accordance with 24 CFR § 5.609(b)(ii). The assistance received

under Title IV of the HEA will be applied to the student's actual covered costs first and then the other student financial assistance will be applied to any remaining actual covered costs.

(1) If the amount of assistance excluded under Title IV of the HEA equals or exceeds the actual covered costs, none of the assistance included under other student financial assistance would be excluded from income.

(2) If the amount of assistance excluded under Title IV of the HEA is less than the actual covered costs, DCHA will exclude the amount of other student financial assistance up to the amount of the remaining actual covered costs.

6503 DETERMINING ASSET INCOME

6503.1 Upon approval in the MTW Plan, family assets include the market value of all assets owned by the family, except where specifically excluded in this section.

6503.2 Upon approval in the MTW Plan, when the market value of the family's total assets is greater than Fifty Thousand Dollars ($50,000), DCHA will multiply the total market value of the family's assets by the HUD-established passbook savings rate to calculate and include imputed asset income. Any asset which is excluded will not be counted toward the total market value of the family's assets.

6503.3 Upon approval in the MTW Plan, when the market value of the family's total assets is Fifty Thousand Dollars ($50,000) or less, DCHA will exclude all income from those assets. DCHA may determine the market value assets of a family based on a self-certification by the family that their total family assets do not exceed Fifty Thousand Dollars ($50,000).

6503.4 The market value of an asset is its worth in the market (such as the amount a buyer would pay for real estate or the total value of an investment account).

6503.5 Bank accounts, such as checking, savings, and credit union accounts, are included as assets. DCHA will use the current balance of each account in determining its market value.

6503.6 Financial investments such as stocks, bonds, saving certificates, and money market funds are included as assets. DCHA will use the value of the account on the most recent investment report in determining its market value.

6503.7 Any lump-sum receipts are only counted as assets if they are retained by a family in a form recognizable as an asset.

6503.8 The cash value of a life insurance policy available to a family member before death,

such as a whole life or universal life policy, is included in the calculation of the value of the family's assets. DCHA will use the policy's current surrender value as the market value of the asset.

6503.9 Assets do not include the value of term life insurance, which has no cash value to the individual before death.

6503.10 There are two types of trusts, revocable and irrevocable.

(a) Irrevocable trusts, which include special needs trusts, are not under the control of any member of the family or household are not included as assets. DCHA will also not include as income any amounts earned by the trust (such as interest earned, rental income if the property is held in the trust) for so long as the income from the trust is not distributed.

(b) A revocable trust is a trust that the creator of the trust may amend or end (revoke). When there is a revocable trust, the creator has access to the funds in the trust account.

(1) Revocable trusts under the control of the family or household (e.g., the grantor is a member of the assisted family or household) are considered assets and must be included in family assets. In this case, DCHA will exclude as income any distributions from the trust to the family and include income from the assets per HUD requirements.

(2) Revocable trusts that are not under the control of the family are excluded from family assets. This happens when a member of the assisted family is the beneficiary of a revocable trust, but the grantor is not a member of the assisted family. For the revocable trust to be considered excluded from family assets, no family or household member may be the account's trustee.

6503.11 An Achieving a Better Life Experience (ABLE) account is a type of tax-advantaged savings account that an eligible individual can use to pay for qualified disability expenses.

(a) Section 103 of the ABLE Act mandates that an individual's ABLE account (specifically, its account balance, contributions to the account, and distributions from the account) is excluded when determining the designated beneficiary's eligibility and continued occupancy under certain federal means-tested programs.

(b) DCHA will exclude the entire value of the individual's ABLE account from the household's assets. Distributions from the ABLE account are also not considered income. However, all wage income received, regardless of which account the money is paid to, is included as income.

6503.12 If an asset is owned by more than one person and any family member has unrestricted access to the asset, DCHA shall count the full value of the asset unless:

(a) The asset is otherwise excluded;

(b) The family can demonstrate that the asset is inaccessible to them; or

(c) The family cannot dispose of any portion of the asset without the consent of another owner who refuses to comply.

6503.13 A family member has unrestricted access to an asset when they can legally dispose of the asset without the consent of any of the other owners.

6503.14 If the family demonstrates that they can only access a portion of an asset, then only that portion's value is included in the calculation of net family assets for the family.

6503.15 Any income from a jointly owned asset must be included in annual income, unless:

(a) The income is specifically excluded;

(b) The family demonstrates that they do not have access to the income from that asset; or

(c) The family only has access to a portion of the income from that asset.

6503.16 If an individual is a beneficiary who is entitled to access the account's funds only upon the death of the account's owner, and may not otherwise withdraw funds from an account, then the account is not an asset to the assisted family, and the family should provide proper documentation demonstrating that they are only a beneficiary on the account.

6503.17 DCHA will count as a current asset any business or family asset that was disposed of for less than fair market value during the two (2) years prior to the effective date of the examination/reexamination, except as noted below:

(a) Assets are not considered disposed of for less than fair market value if they are disposed of as part of a separation or divorce settlement and the applicant or tenant receives important consideration not measurable in dollar terms. To qualify for this exemption, a family member must be subject to a formal separation or divorce settlement agreement established through arbitration, mediation, or court order.

(b) Assets are not considered disposed of for less than fair market value when the disposition is the result of a foreclosure or bankruptcy sale. Families must sign a declaration form at initial certification and each regular recertification, and/or as required by DCHA in its discretion, thereafter

identifying all assets that have been disposed of for less than fair market value or declaring that no assets have been disposed of for less than fair market value. DCHA may verify the value of the assets disposed of if other information available to DCHA does not appear to agree with the information reported by the family.

(c) DCHA shall not include the value of assets disposed of for less than fair market value unless the cumulative fair market value of all assets disposed of during the past two (2) years exceeds the gross amount received for the assets by more than one thousand dollars ($1,000);

6503.18 Negative equity in real property or other investments does not prohibit the owner from selling the property or other investments, so negative equity alone would not justify excluding the property or other investments from family assets.

6503.19 Assets placed by the family in nonrevocable trusts are considered assets disposed of for less than fair market value except when the assets placed in trust were received through settlements or judgments.

6503.20 Assets moved to a retirement account held by a member of the family is not considered to be an asset disposed of for less than fair market value.

6503.21 When the two (2) year period expires, the income assigned to the disposed asset(s) also expires. If the two (2) year period ends between regular recertifications, the family may request an interim recertification to eliminate consideration of the asset(s).

6503.22 The following are excluded from the calculation of the market value of assets:

(a) The value of real property that the family does not have the effective legal authority to sell in the jurisdiction in which the property is located;

(b) The value of any Coverdell education savings account under Section 530 of the Internal Revenue Code of 1986;

(c) The value of any qualified tuition program under Section 529 of such Code;

(d) The value of any ABLE account authorized under Section 529A of such Code;

(e) Interests in Indian trust land;

(f) Equity in a manufactured home where the family receives assistance under 24 CFR Part 982;

(g) Equity in property under the Homeownership Option for which a family receives assistance under 24 CFR Part 982;

(h) Family Self-Sufficiency Accounts;

(i) The full amount of assets held in an irrevocable trust;

(j) The full amount of assets held in a revocable trust where a member of the family is the beneficiary, but the grantor/owner and trustee of the trust is not a member of the participant family or household;

(k) Other exclusions listed in section § 6503; and

(l) Other exclusions required by HUD upon implementation of HOTMA.

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6504 ANNUAL INCOME EXCLUSIONS

6504.1 Subject to applicable HUD guidance and DCHA MTW policy, annual income does not include the types of income listed in this § 6504.

6504.2 Per DCHA's MTW, income from assets when the market value of family assets total Fifty Thousand Dollars ($50,000) or less.

6504.3 The following types of trust distributions:

(a) For an irrevocable trust or a revocable trust outside the control of the family or household excluded from the definition of net family assets under 24 CFR § 5.603(b):

(1) Distributions of the principal or corpus of the trust; and

(2) Distributions of income from the trust when the distributions are

used to pay the costs of health and medical care expenses for a minor.

(b) For a revocable trust under the control of the family or household, any distributions from the trust; except that any actual income earned by the trust, regardless of whether it is distributed, shall be considered income to the family at the time it is received by the trust.

6504.4 Earned income of children (including foster children) under the age of eighteen (18) years.

6504.5 Payments received for the care of foster children or foster adults, or State or Tribal kinship or guardianship care payments.

6504.6 Insurance payments and settlements for personal or property losses, including but not limited to payments through health insurance, motor vehicle insurance, and workers' compensation.

6504.7 Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.

6504.8 Any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a family member arising out of law, that resulted in a member of the family becoming disabled.

6504.9 Income of a live-in aide, foster child, or foster adult as defined in 24 CFR §§ 5.403 and 5.603, respectively.

6504.10 Any assistance that section 479B of the Higher Education Act of 1965, as amended, required to be excluded from a family's income including Bureau of Indian Affairs/Education student assistance programs:

(a) If the amount of this excluded assistance equals or exceeds the amount of actual covered costs described under § 6504.11 below, none of the assistance described below is excluded as income.

(b) If the amount of this excluded assistance is less than the amount of actual covered costs described under § 6504.11 below, staff will exclude the lower of:

(1) The total amount of student financial assistance received under § 6504.11, or

(2) The amount by which the actual covered costs (as described below) exceed the assistance excluded under item § 6504.9.

6504.11 Student financial assistance for tuition, books, and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, and other fees required and charged to a student by an institution of higher education (as defined under Section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit, and expressly for a student who is not the head of household or spouse.

(a) "Student financial assistance" means a grant or scholarship received from:

(1) The federal government;

(2) A state, tribal, or local government;

(3) A private foundation registered as a nonprofit;

(4) A business entity; or

(5) An institution of higher education.

(b) Student financial assistance does not include:

(1) Any assistance that Section 479B of the Higher Education Act of 1965, as amended, requires to be excluded from a family's income (as noted above);

(2) Financial support provided to the student in the form of a fee for services performed (for example, a work study or teaching fellowship that is not excluded);

(3) Gifts, including gifts from family or friends; or

(4) Any amount of the scholarship or grant that, either by itself or in combination with assistance excluded, exceeds the actual covered costs of the student. The actual covered costs of the student are the actual costs of tuition, books and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, or other fees required and charged to a student by the education institution, and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

(c) Student financial assistance must be:

(1) Expressly for tuition, books, room and board, or other fees required and charged to a student by the education institution;

(2) Expressly to assist a student with the costs of higher education; or

(3) Expressly to assist a student who is not the head of household or spouse with the reasonable and actual costs of housing while attending the education institution and not residing in an assisted unit.

(d) Student financial assistance may be paid directly to the student or to the educational institution on the student's behalf.

(e) The student financial assistance exclusion applies to both part-time and full-time students.

6504.12 Income and distributions from any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code; and income earned by government contributions to, and distributions from, baby bond accounts created, authorized, or funded by Federal, State, or local government.

6504.13 The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

6504.14 Certain amounts received that are related to participation in the following programs:

(a) Amounts received under HUD-funded training programs (i.e., Step-up program: excludes stipends, wages, transportation payments, child care vouchers for the duration of the training);

(b) Amounts received by a person with disabilities that are disregarded for a limited time for purposes of Supplemental Security Income and benefits that are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

(c) Amounts received by a client in other publicly assisted programs that are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) to allow participation in a specific program;

(d) Amounts received under a client services stipend (not to exceed Two Hundred Dollars ($200) a month). A client service stipend is a modest amount received by a resident for performing a service for DCHA or the owner, on a part-time basis, that enhances the quality of life in the development. Such services may include but are not limited to, fire patrol, hall monitoring, lawn maintenance, and client initiatives coordination; or

(e) Incremental earnings and/or benefits to any family member from participation in training programs funded by HUD or in qualifying Federal, State, Tribal, or local employment training programs (including training programs not affiliated with the local government), and training of family members as client management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.

6504.15 Reparation payments paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.

6504.16 Earned income of dependent full-time students in excess of the amount of the deduction for a dependent.

6504.17 Adoption assistance payments for a child in excess of the amount of the deduction for a dependent.

6504.18 Deferred periodic payments of Supplemental Security Income and Social Security benefits that are received in a lump sum payment or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts.

6504.19 Payments related to aid and attendance under 38 U.S.C. § 1521 to veterans in need of regular aid and attendance.

6504.20 Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling apartment.

6504.21 Payments made by or authorized by a State Medicaid agency (including through a managed care entity) or other State or Federal agency to a family to enable a family member who has a disability to reside in the family's assisted unit. Authorized payments may include payments to a member of the assisted family through the State Medicaid agency (including through a managed care entity) or other State or Federal agency for caregiving services the family member provides to enable a family member who has a disability to reside in the family's assisted unit.

6504.22 Loan proceeds (the net amount disbursed by a lender to or on behalf of a borrower, under the terms of a loan agreement) received by the family or a third party (e.g., proceeds received by the family from a private loan to enable attendance at an educational institution or to finance the purchase of a car).

6504.23 Payments received by Tribal members as a result of claims relating to the mismanagement of assets held in trust by the United States, to the extent such payments are also excluded from gross income under the Internal Revenue Code or

other Federal law.

6504.24 Amounts specifically excluded by any other federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937. A notice will be published by HUD in the Federal Register identifying the benefits that qualify for this exclusion. The most recent list of exclusions was published in the Federal Register on January 31, 2024. It includes:

(a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. § 2017 (b));

(b) Payments, including for supportive services and reimbursement of out-of-pocket expenses, for volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. § 5044(f)(1), 42 U.S.C § 5058) are excluded from income except that the exclusion shall not apply in the case of such payments when the Chief Executive Officer of the Corporation for National and Community Service appointed under 42 U.S.C. § 12651c determines that the value of all such payments, adjusted to reflect the number of hours such volunteers are serving, is equivalent to or greater than the minimum wage then in effect under the Fair Labor Standards Act of 1938 (29 U.S.C. § 201 et seq.) or the minimum wage, under the laws of the State where such volunteers are serving, whichever is the greater (42 U.S.C. § 5044(f)(1)).

(c) Certain payments received under the Alaska Native Claims Settlement Act (43 U.S.C. § 1626(c));

(d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. § 5506);

(e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. § 8624(f)(1));

(f) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, section 6);

(g) The first Two Thousand Dollars ($2,000) of per capita shares received from judgment funds awarded by the National Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, and the first Two Thousand Dollars ($2,000) per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands. This exclusion does not include proceeds of gaming operations regulated by the Commission (25 U.S.C. § 1407-1408);

(h) Amounts of student financial assistance funded under Title IV of the Higher

Education Act of 1965 (20 U.S.C § 1070), including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. § 1087uu). For Section 8 programs only (42 U.S.C. § 1437f), any financial assistance in excess of amounts received by an individual for tuition and any other required fees and charges under the Higher Education Act of 1965 (20 U.S.C § 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20. U.S.C. § 1002)), shall not be considered income to that individual if the individual is over the age of Twenty-Three (23) with dependent children (Pub. L. 109-115, Section 327) (as amended);

(i) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. § 3056(g));

(j) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund (Pub. L. 101-201) or any other fund established pursuant to the settlement in In Re Agent Orange Product Liability Litigation, M.D.L. No. 381 (E.D.N.Y.);

(k) Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-420 Section 9(c));

(l) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. § 9858q);

(m) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. § 32(j));

(n) The amount of any refund (or advance payment with respect to a refundable credit) issued under the Internal Revenue Code is excluded from income and assets for a period of twelve (12) months from receipt (26 U.S.C. § 6409);

(o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of the Mescalero Reservation (Pub. L. 95-433 Section 2);

(p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. § 12637(d));

(q) Any allowance paid to children of Vietnam veterans born with spinal bifida (38 U.S.C. § 1802-05), children of women Vietnam veterans born with certain birth defects (38 U.S.C. § 1811-16), and children of certain Korean and Thailand service veterans born with spinal bifida (38 U.S.C. § 1821-22)

is excluded from income and assets (38 U.S.C § 1833(c));

(r) Any amount of crime victim compensation that provides medical or other assistance (or payment or reimbursement of the cost of such assistance) under the Victims of Crime Act of 1984 received through a crime victim assistance program, unless the total amount of assistance that the applicant receives from all such programs is sufficient to fully compensate the applicant for losses suffered as a result of the crime (34 U.S.C. § 20102(c));

(s) Allowances, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998 reauthorized as the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. § 3241(a)(2));

(t) Any amount received under the Richard B. Russell School Lunch Act (42 U.S.C. § 1760(e)) and the Child Nutrition Act of 1966 (42 U.S.C. § 1780(b)), including reduced-price lunches and food under the Special Supplemental Food Program for Women, Infants, and Children (WIC);

(u) Payments, funds, or distributions authorized, established, or directed by the Seneca Nation Settlement Act of 1990 (Pub. L. 101-503 Section 8(b)); this exclusion also applies to assets;

(v) Payments from any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in monthly prospective amounts (42 U.S.C. § 1437a(b)(4));

(w) Any amounts:

(1) Not actually received by the family;

(2) That would be eligible for exclusion under 42 U.S.C. § 1382b(a)(7); and

(3) Received for service-connected disability under 38 U.S.C. Chapter 11 or dependency and indemnity compensation under 38 U.S.C. Chapter 13 (25 U.S.C. § 4103(9)(C)) as provided by an amendment by the Indian Veterans Housing Opportunity Act of 2010 (Pub. L. 111–269 Section 2) to the definition of income applicable to programs under the Native American Housing Assistance and Self-Determination Act (NAHASDA) (25 U.S.C. § 4101 et seq.);

(x) A lump sum or periodic payment received by an individual Indian pursuant to the Class Action Settlement Agreement in case entitled Elouise Cobell et al. v. Ken Salazar et al., 816 F.Supp.2d 10 (Oct. 5, 2011 D.D.C.) for a period of one year from the time of receipt of that payment as provided in the

Claims Resolution Act of 2010 (Pub. L. 111-291 Section 101(f)(2);

(y) Any amounts in an individual development account are excluded from assets and any assistance, benefit, or amounts earned by or provided to the individual development account are excluded from income as provided by the Assets for Independence Act, as amended (42 U.S.C § 604(h)(4));

(z) Per capita payments made from the proceeds of Indian Tribal Trust Settlements listed in Notice PIH 2013–1 and 2013-55 must be excluded from annual income unless the per capita payments exceed the amount of the original Tribal Trust Settlement proceeds and are made from a Tribe's private bank account in which the Tribe has deposited the settlement proceeds. Such amounts received in excess of the Tribal Trust Settlement are included in the gross income of the members of the Tribe receiving the per capita payments as described in IRS Notice 2013–1. The first Two Thousand Dollars ($2,000) of per capita payments are also excluded from assets unless the per capita payments exceed the amount of the original Tribal Trust Settlement proceeds and are made from a Tribe's private bank account in which the Tribe has deposited the settlement proceeds (25 U.S.C. § 117b(a), 25 U.S.C. §1407);

(aa) Federal assistance for a major disaster and emergency received by individuals under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Pub. L. 93-288, as mended) and comparable disaster assistance provided by States, local governments, and disaster assistance organizations (42 U.S.C. § 5155(d));

(bb) Any amount in an ABLE account, distributions from and certain contributions to an ABLE account established under the ABLE Act of 2014 (Pub. L. 113–295.), as described in Notice PIH 2019–09/H 2019–06 or subsequent or superseding notice is excluded from income and assets; and

(cc) Assistance received by a household under the Emergency Rental Assistance Program pursuant to the Consolidated Appropriations Act, 2021 (Pub. L. 116–260, Section 501(j)), and the American Rescue Plan Act of 2021.

6504.25 Replacement housing gap payments made in accordance with 49 CFR Part 24 that offset increased out of pocket costs of displaced persons that move from one federally subsidized housing unit to another Federally subsidized housing unit. Such replacement housing gap payments are not excluded from annual income if the increased cost of rent and utilities is subsequently reduced or eliminated, and the displaced person retains or continues to receive the replacement housing gap payments;

6504.26 Nonrecurring income, which is income that will not be repeated in the coming year based on information provided by the family. Income received as an independent

contractor, day laborer, or seasonal worker is not excluded from income under this paragraph, even if the source, date, or amount of the income varies. Nonrecurring income includes:

(a) Payments from the U.S. Census Bureau for employment (relating to decennial census or the American Community Survey) lasting no longer than one hundred eighty (180) days and not culminating in permanent employment;

(b) Direct Federal or State payments intended for economic stimulus or recovery;

(c) Amounts directly received by the family as a result of State refundable tax credits or State tax refunds at the time they are received;

(d) Amounts directly received by the family as a result of Federal refundable tax credits and Federal tax refunds at the time they are received;

(e) Gifts for holidays, birthdays, or other significant life events or milestones (such as wedding gifts, baby showers, anniversaries);

(f) Non-monetary, in-kind donations, such as food, clothing, or toiletries, received from a food bank or similar organization; and

(g) Lump-sum additions to net family assets, including but not limited to lottery or other contest winnings.

6504.27 Civil rights settlements or judgments, including settlements or judgments for back pay;

6504.28 Income received from any account under a retirement plan recognized as such by the Internal Revenue Service, including individual retirement arrangements (IRAs), employer retirement plans, and retirement plans for self-employed individuals; except that any distribution of periodic payments from such accounts shall be income at the time they are received by the family;

6504.29 Income earned on amounts placed in a family's Family Self Sufficiency Account; and

6504.30 Gross income a family member receives through self-employment or operation of a business, except where gross income equals net income.

6505 ADJUSTED INCOME

6505.1 [RESERVED]

6505.2 This § 6502 covers DCHA policies related to mandatory deductions.

6505.3 DCHA shall use current circumstances to anticipate expenses. When possible, for costs that are expected to fluctuate during the year (e.g., child-care during school and non-school periods and cyclical medical expenses), DCHA shall estimate costs based on historic data and known future costs; and

6505.4 If a family has an accumulated debt for medical or disability assistance expenses, DCHA shall include as an eligible expense the portion of the debt that the family expects to pay during the period for which the income determination is being made. However, amounts previously deducted are not allowed even if the amounts were not paid as expected in a preceding period. DCHA may require the family to provide documentation of payments made in the preceding year.

6505.5 The HUD-established allowance is deducted from annual income for each dependent. "Dependent" is defined as any family member other than the head, spouse, or co-head who is under the age of eighteen (18) or who is eighteen (18) or older and is a person with disabilities or a full-time student. DCHA will implement changes to the amount of the dependent deduction in accordance with required updates published by HUD annually. Foster children, foster adults, and live-in aides are never considered dependents.

6505.6 A single deduction per the HUD-established allowance is taken for any elderly or disabled family.

6505.7 An "elderly family" is a family whose head, spouse, co-head, or sole member is fifty-five (55) years of age or older, and a "disabled family" is a family whose head, spouse, co-head, or sole member is a person with disabilities. DCHA will implement changes to the amount of the elderly and disabled deductions in accordance with required updates published by HUD annually.

6505.8 Unreimbursed health and medical care expenses may be deducted to the extent that, in combination with any disability assistance expenses, they exceed three percent (3%) of annual income.

6505.9 The health and medical care expense deduction is permitted only for families in which the head, spouse, or co-head is at least fifty-five (55) years old or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted.

6505.10 HUD regulations define "health and medical care expenses" at 24 CFR § 5.603(b) to mean "any costs incurred in the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed."

6505.11 DCHA shall use the most current IRS Publication 502, "Medical and Dental Expenses," as a reference to help determine the costs that qualify as health and medical care expenses. However, DCHA must review each expense to determine whether it is eligible in accordance with HUD's definition of health and medical care expenses.

Summary of Allowable Medical Expenses	
Services of medical professionals Surgery and medical procedures that are necessary, legal, non-cosmetic Services of medical facilities Hospitalization, long-term care, and in-home nursing services Prescription medicines and insulin, but not nonprescription medicines even if recommended by a doctor Improvements to housing directly related to medical needs (e.g., ramps for a wheelchair, handrails) Substance abuse treatment programs	Psychiatric treatment Ambulance services and some costs of transportation related to medical expenses The cost and care of necessary equipment related to a medical condition (e.g., eyeglasses/lenses, hearing aids, crutches, and artificial teeth) Cost and continuing care of necessary service animals Medical insurance premiums or the cost of a health maintenance organization (HMO)
Note: This chart provides a summary of eligible medical expenses only. Medical expenses are considered only to the extent they are not reimbursed by insurance or some other source.	

6505.12 When expenses anticipated by a family could be defined as either medical or disability assistance expenses; DCHA shall consider them medical expenses unless the expenses are incurred exclusively to enable a person with disabilities to work.

6505.13 Reasonable expenses for attendant care and auxiliary apparatus for a disabled family member (disability assistance expense) may be deducted if they:

(a) Are necessary to enable a family member eighteen (18) years or older to work;

(b) Are not paid to a family member or reimbursed by an outside source;

(c) In combination with any medical expenses, exceed three percent (3%) of annual income; and

(d) Do not exceed the earned income received by the family member who is enabled to work.

6505.14 A family can qualify for the disability assistance expense deduction only if at least one family member (who may be the person with disabilities) is enabled to work.

6505.15 The family must identify the family members enabled to work because of the disability assistance expenses. In evaluating the family's request, DCHA considers factors such as how the work schedule of the relevant family members relates to the hours of care provided, the time required for transportation, the relationship of the family members to the person with disabilities, and any special needs of the person with disabilities that might determine which family members are enabled to work.

6505.16 When DCHA determines that the disability assistance expenses enable more than one family member to work, the disability assistance expenses will be capped by the sum of the family members' incomes.

6505.17 "Auxiliary apparatus" includes: wheelchairs, walkers, scooters, reading devices for persons with visual disabilities, equipment added to cars and vans to permit their use by the family member with a disability, or service animals but only if these items are directly related to permitting the disabled person or other family member to work.

6505.18 Expenses incurred for maintaining or repairing an auxiliary apparatus are eligible. In the case of an apparatus that is specially adapted to accommodate a person with disabilities (e.g., a vehicle or computer), the cost to maintain the special adaptations (but not maintenance of the apparatus itself) is an eligible expense. The cost-of-service animals trained to give assistance to persons with disabilities, including the cost of acquiring the animal, veterinary care, food, grooming, and other continuing costs of care, will be included.

6505.19 Attendant Care Expenses are eligible and include the following:

(a) Attendant care includes, but is not limited to, reasonable costs for home medical care, nursing services, in-home or center-based care services, interpreters for persons with hearing impairments, and readers for persons with visual disabilities;

(b) Attendant care expenses are included for the period that the person enabled to work is employed plus reasonable transportation time. The cost of general housekeeping and personal services is not an eligible attendant care expense. However, if the person enabled to work is the person with disabilities, personal services necessary to enable the person with disabilities to work are eligible; and

(c) If the care attendant also provides other services to the family, DCHA prorates the cost and allow only that portion of the expenses attributable to attendant care that enables a family member to work. For example, if the

care provider also cares for a child who is not the person with disabilities, the cost of care must be prorated. Unless otherwise specified by the care provider, the calculation is based upon the number of hours spent in each activity or the number of persons under care.

6505.20 No disability expenses may be deducted for payments to a member of a tenant family. However, expenses paid to a relative who is not a member of the tenant family may be deducted if they are not reimbursed by an outside source.

6505.21 The family determines the type of care or auxiliary apparatus to be provided and must describe how the expenses enable a family member to work.

6505.22 The family must certify that the disability assistance expenses are necessary and are not paid or reimbursed by any other source.

6505.23 DCHA determines the reasonableness of the expenses based on typical costs of care or apparatus in the locality.

6505.24 "Child-care expenses" are defined as amounts anticipated to be paid by the family for the care of children under thirteen (13) years of age where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further their education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child-care. In the case of child-care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

6505.25 Child-care expenses do not include child support payments made to another on behalf of a minor who is not living in an assisted family's household. However, child-care expenses for foster children that are living in the assisted family's household are included when determining the family's child-care expenses.

6505.26 The family must identify the family member(s) enabled to work, seek work or further their education.

6505.27 In evaluating the family's request, DCHA shall consider factors such as how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

6505.28 If the child care expense being claimed is to enable a family member to seek employment, the family must provide evidence of the family member's efforts to obtain employment at each reexamination.

6505.29 If the child care expense being claimed is to enable a family member to further their education, the member must be enrolled in school (academic or vocational) or

participating in a formal training program. The family member is not required to be a full-time student, but the time spent in educational activities must be commensurate with the child care claimed.

6505.30 If the child care expense being claimed is to enable a family member to be gainfully employed, the family must provide evidence of the family member's employment during the time that child care is being provided. Gainful employment is any legal work activity (full- or part-time) for which a family member is compensated.

6505.31 When a family member looks for work or furthers their education, there is no cap on the amount that may be deducted for child care – although the care must still be necessary and reasonable.

6505.32 The earned income used for this purpose is the amount of earned income verified after any earned income disallowances or income exclusions are applied.

6505.33 DCHA must not limit the deduction to the least expensive type of child care. If the care allows the family to pursue more than one eligible activity, including work, the cap is calculated in proportion to the amount of time spent working.

6505.34 The type of care to be provided is determined by the tenant family. The DCHA may not refuse to give a family the child-care expense deduction because there is an adult family member in the household that may be available to provide child-care.

6505.35 For school-age children, costs attributable to public or private school activities during standard school hours are not considered. Expenses incurred for supervised activities after school or during school holidays (e.g., summer day camp, after-school sports league) are allowable forms of child-care.

6505.36 The costs of general housekeeping and personal services are not eligible. Likewise, child-care expenses paid to a family member who lives in the family's unit are not eligible; however, payments for child-care to relatives who do not live in the unit are eligible; and

6505.37 If a child-care provider also renders other services to a family or child-care is used to enable a family member to conduct activities that are not eligible for consideration, DCHA shall prorate the costs and allow only that portion of the expenses that is attributable to child-care for eligible activities. Unless otherwise specified by the child-care provider, the calculation is based upon the number of hours spent in each activity and/or the number of persons under care.

6506 CALCULATING RENT

6506.1 The first step in calculating income-based rent is to determine each family's total tenant payment (TTP).

6506.2 TTP is the highest of the following:

(a) Thirty percent (30%) of the family's monthly adjusted income;

(b) Ten percent (10%) of the family's monthly gross income;

(c) The welfare rent; and

(d) The minimum rent of $0.

6506.3 DCHA has authority to suspend and exempt families from minimum rent when a financial hardship exists.

6506.4 Welfare rent does not apply in the District of Columbia.

6506.5 The minimum rent for the District of Columbia is Zero Dollars ($0).

6506.6 Utility reimbursements are not paid to the family when there are no tenant-paid utilities (for example, DCHA pays for all utilities).

6506.7 [RESERVED]

6506.8 [RESERVED]

6506.9 [RESERVED]

6506.10 [RESERVED]

6506.11 [RESERVED]

6506.12 [RESERVED]

6506.13 [RESERVED]

6506.14 [RESERVED]

6506.15 [RESERVED]

6506.16 [RESERVED]

6506.17 [RESERVED]

6506.18 [RESERVED]

6506.19 [RESERVED]

6506.20 [RESERVED]

6506.21 [RESERVED]

6506.22 [RESERVED]

6506.23 [RESERVED]

6506.24 Utility allowances are provided to families paying income-based rents when the cost of utilities is not included in the rent.

6506.25 When determining a family's income- based rent, DCHA must use the utility allowance applicable to the type of dwelling unit leased by the family.

6506.26 All current DCHA-managed public housing properties include utility costs in the rent, so no utility allowance is applied nor is any utility reimbursement given.

6506.27 Privately-managed public housing in mixed-finance properties may or may not include the costs of utilities in the rent. For those that do not include utilities in the rent, the utility allowance is subtracted from the TTP. Then:

(a) If the result of this calculation is a positive number, that is the tenant rent;

(b) If the result of this calculation is a negative number, that is referred to as a utility reimbursement, which may be paid to the family or directly to the utility company by DCHA

6506.28 On request from a family whose rent does not include the cost of utilities, DCHA shall approve a utility allowance that is higher than the applicable amount for the dwelling unit if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family with a disability.

6506.29 Residents with disabilities may not be charged for the use of certain resident-supplied appliances if there is a verified need for special equipment because of the disability.

6506.30 For families whose rent does not include the cost of utilities, DCHA may grant requests for relief from charges in excess of the utility allowance on reasonable grounds, such as special needs of the elderly, ill, or residents with disabilities, or special factors not within control of the resident, as the DCHA deems appropriate. The family must request the higher allowance and provide DCHA with an explanation about the additional allowance required.

6506.31 DCHA does not require the families to pay utilities at DCHA owned and operated

properties. As noted above, families in public housing in privately managed mixed-finance properties may be required to pay utilities.

6506.32 In determining the amount of the reasonable accommodation or individual relief for tenant-paid utilities, DCHA shall allow a reasonable measure of additional usage as necessary. To arrive at the amount of additional utility cost of specific equipment, the family may provide information from the manufacturer of the equipment, or the family or DCHA may conduct an internet search for an estimate of usage or additional monthly cost.

6506.33 Information on reasonable accommodation and individual relief for charges in excess of the utility allowance is provided to all residents of properties managed directly by DCHA and managed by a third-party with tenant-paid utilities at move-in and with any notice of proposed allowances, schedule surcharges, and revisions. DCHA shall also provide information on utility relief programs or medical discounts (sometimes referred to as "Medical Baseline discounts") that may be available through local utility providers.

6506.34 Families with tenant-paid utilities must request the higher allowance and provide DCHA with information about the amount of additional allowance required.

6506.35 At its discretion, DCHA may reevaluate the need for the increased utility allowance as a reasonable accommodation at any regular reexamination.

6506.36 If the excessive consumption is caused by a characteristic of the unit or DCHA-supplied equipment that is beyond the family's control, such as a particularly inefficient refrigerator or inadequate insulation, the relief to the family ceases when the situation is remedied.

6506.37 DCHA must review at least annually the basis on which utility allowances have been established.

6506.38 DCHA must revise the utility allowance schedule if there is a rate change that by itself or together with prior rate changes not adjusted for, results in a change of ten percent (10%) or more from the rates on which such allowances were based.

6506.39 Adjustments to resident payments as a result of the changes in § 6503.37 must be retroactive to the first day of the month following the month in which the last rate change taken into account in such revision became effective. Such rate changes are not subject to the sixty (60) day notice.

6506.40 The tenant rent calculations must reflect any changes in the DCHA's utility allowance schedule.

6506.41 Between annual reviews of utility allowances, DCHA shall only revise its utility allowances due to a rate change, when required to by the federal regulations.

6506.42 A "mixed family" is one that includes at least one (1) U.S. citizen or eligible immigrant and any number of ineligible family members. DCHA must prorate the assistance provided to a mixed family in accordance with 24 CFR § 5.520(d).

6506.43 Policies related to the reexamination of families paying flat rent are contained in Chapter 68, and policies related to the establishment and review of flat rents are contained in Chapter 81.

6506.44 Changes in family income, expenses, or composition will not affect the flat rent amount because it is outside the income-based formula.

6506.45 [RESERVED]

6506.46 DCHA shall offer a family the choice between flat and income-based rent upon admission and upon each subsequent regular reexamination.

6506.47 DCHA shall require families to submit their choice of flat or income-based rent in writing and shall maintain such requests in the tenant file as part of the admission or annual reexamination process.

6506.48 [RESERVED]

6506.49 A family can opt to switch from flat rent to income-based rent at any time if they are unable to pay the flat rent due to financial hardship.

6506.50 Upon determination by DCHA that a financial hardship exists, DCHA shall allow a family to switch from flat rent to income-based rent effective the first of the month following the family's request.

6506.51 [RESERVED]

6506.52 DCHA considers payment of flat rent to be a financial hardship whenever the switch to income-based rent would be lower than the flat rent.

Chapter 66, [RESERVED], of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 66 VERIFICATION

6600 INTRODUCTION

6600.1 DCHA will verify all information that is used to establish the family's eligibility and level of assistance and will obtain written authorization from the family in order to collect the information.

6600.2 Applicants and program participants must cooperate with the verification process as a condition of receiving assistance.

6600.3 DCHA will not pass on the cost of verification to the family.

6600.4 [RESERVED]

6600.5 This Chapter summarizes those requirements and provides supplementary DCHA policies, in four sections:

(a) Section 6601 describes the general verification process;

(b) Section 6602 provides more detailed requirements related to family information;

(c) Section 6603 provides information on income and assets, and

(d) Section 6604 covers mandatory deductions.

6600.6 Verification policies, rules and procedures are modified as needed to accommodate persons with disabilities in accordance with Chapter 61 of this Title. All information obtained through the verification process are handled in accordance with the records management policies established by DCHA.

6601 GENERAL VERIFICATION REQUIREMENTS

6601.1 The family must supply any information that DCHA or HUD determines is necessary to the administration of the program and must consent to DCHA verification of that information.

6601.2 It is required that all adult applicants and tenants sign form HUD-9886-A, Authorization for Release of Information. DCHA will not require that the form be signed again except under the following circumstances:

(a) When any person eighteen (18) years or older becomes a member of the family;

(b) When a current member of the family turns eighteen (18); or

(c) As required by HUD or DCHA in administrative instructions.

6601.3 The executed form will remain effective until the family is denied assistance, assistance is terminated, or the family provides written notification to DCHA to revoke consent.

6601.4 DCHA will deny admission to the program or terminate assistance if any member of the family fails to sign and submit the HUD 9886-A. Further, revocation of

consent to the form HUD-9886-A by any family member will result in termination of assistance or denial of admission.

6601.5 HUD and DCHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members.

6601.6 Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

6601.7 If any family member who is required to sign a consent form fails to do so, DCHA shall deny admission to applicants and terminate the lease of tenants. The family may request a hearing in accordance with DCHA's grievance procedures in Chapter 79.

6601.8 DCHA will follow the verification hierarchy in Section 6601.9 below, use the most reliable form of verification that is available, and document the reasons when DCHA uses a lesser form of verification.

6601.9 In order of priority, the forms of verification that DCHA uses are:

(a) Up-front Income Verification (UIV) using HUD's Enterprise Income Verification (EIV) system;

(b) UIV using a non-HUD system;

(c) Written Third Party Verification (may be provided by applicant or resident);

(d) Written Third-party Verification Form;

(e) Oral Third-party Verification; and

(f) Self-Certification.

6601.10 Any documents used for verification must be dated within one hundred twenty (120) days of DCHA receipt except for fixed income sources. For fixed income sources, the documents must be dated within the appropriate benefit year. The documents must not be damaged so as to obscure or omit necessary information, altered or in any way illegible. Family-provided documents may be submitted by mail, electronically, or in person.

6601.11 Any family self-certifications must be made in a format acceptable to DCHA and must be signed by the family member whose information or status is being verified.

6601.12 DCHA will document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and

decisions reached during the verification process are recorded in the family's file in sufficient detail to demonstrate that DCHA has followed all of the verification policies set forth in this Chapter.

6601.13 DCHA documents, in the family file, the following:

(a) Reported family annual income;

(b) Value of assets;

(c) Expenses related to deductions from annual income; and

(d) Other factors influencing the adjusted income or income-based rent determination.

6601.14 When DCHA is unable to obtain third-party verification, DCHA shall document in the family file the reason that third-party verification was not available. This allows DCHA to document that it attempted to obtain verification as specified in Section 6601.9 before using other types of verification such as written third-party verification form or oral third-party verification.

6601.15 There may be legitimate differences between the information provided by the family and UIV-generated information. DCHA will take action to resolve the discrepancy, including, but not limited to, discussing the discrepancy with the family and requesting the family provide additional documentation. Thereafter, DCHA will promptly notify the family in writing in the event of an adverse finding. The family may contest any adverse findings through DCHA's informal review process.

6601.16 DCHAs will use HUD's EIV system in its entirety as a third-party source to verify tenant employment and income information during mandatory reexaminations or recertifications of family composition and income in accordance with 24 CFR 5.236 and administrative guidance issued by HUD. HUD's EIV system contains data showing earned income, unemployment benefits, social security benefits, and SSI benefits for participant families.

6601.17 [RESERVED]

6601.18 When DCHA determines through EIV reports and third-party verification that a family has concealed or under-reported income, corrective action is taken pursuant to the policies in Chapter 80, Program Integrity.

6601.19 The EIV system verifies resident identities against Social Security Administration (SSA) records. These records are compared to Public and Indian Housing Information Center (PIC) data for a match on Social Security number, name, and date of birth.

6601.20 DCHA will run other EIV reports as required by HUD to verify the accuracy of information received and to ensure program integrity.

6601.21 [RESERVED]

6601.22 [RESERVED]

6601.23 Written third-party verification documents must be original and authentic and may be supplied by the family or received from a third-party source.

6601.24 Examples of acceptable tenant-provided documents include:

(a) Pay stubs;

(b) Payroll summary reports;

(c) Employer notice or letters of hire and termination;

(d) SSA benefit verification letters;

(e) Bank statements;

(f) Child support payment stubs;

(g) Welfare benefit letters or printouts; and

(h) Unemployment monetary benefit notices.

6601.25 DCHA may reject documentation provided by the family if the document is not an original, if the document appears to be forged, or if the document is altered, mutilated, or illegible.

6601.26 Third-party documents provided by the family must be dated within one hundred twenty (120) days of DCHA receipt, except for fixed income sources. For fixed income sources, the documents must be dated within the appropriate benefit year;

6601.27 If DCHA determines that third-party documents provided by the family are not acceptable, DCHA shall explain the reason to the family and request additional documentation.

6601.28 [RESERVED]

6601.29 [RESERVED]

6601.30 [RESERVED]

6601.31 DCHA sends third-party verification forms directly to the third party; Third-party verification forms are sent when third-party verification documents are unavailable by the family or are rejected by DCHA.

6601.32 In collecting third-party oral verification, DCHA staff records in the family's file the name and title of the person contacted, the date and time of the conversation (or attempt), the telephone number used, and the facts provided.

6601.33 [RESERVED]

6601.34 Third-party verification may not be available in all situations.

(a) If the family cannot provide original documents, DCHA pays the costs required to obtain third-party verification, unless it is not cost effective in which case a self-certification is acceptable as the only means of verification. The cost of verification is not passed on to the family; and

(b) The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.

6601.35 Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

6601.36 DCHA accepts a self-certification from a family as verification of assets disposed of for less than fair market value.

6601.37 [RESERVED].

6601.38 Upon HUD approval, DCHA will implement an MTW policy permitting DCHA to accept the family's self-certification of the value of assets if the total value of family assets is less than Fifty Thousand Dollars ($50,000).

6601.39 All family members eighteen (18) years of age and older must sign the family's declaration.

6601.40 DCHA shall not include income from assets in its income calculation unless the total value of all assets is Fifty Thousand Dollars ($50,000) or more.

6601.41 DCHA uses third-party documentation for assets if the total value of all assets is Fifty Thousand Dollars ($50,000) or more, or if DCHA receives information indicating the family's certification of total asset value being less than Fifty Thousand Dollars ($50,000) is incorrect.

6601.42 When HUD requires third-party verification, self-certification, or "tenant declaration," is used as a last resort when DCHA is unable to obtain third-party verification.

6601.43 Self-certification, however, is an acceptable form of verification when:

(a) A source of income is fully excluded; or

(b) Net family assets total Fifty Thousand Dollars ($50,000) or less.

6601.44 If a family member is claiming exemption from the Community Service requirement (see Chapter 73) based on receipt of food stamps, DCHA may require verification of Supplemental Nutrition Assistance Program (SNAP) or food stamps benefits dated within the prior one hundred twenty (120) days.

6601.45 DCHA may opt to follow its policy to implement streamlined regular recertifications for fixed sources of income for self-certification (See Chapter 68).

6601.46 [RESERVED]

6601.47 When information cannot be verified by a third party or by review of documents, family members are required to submit self-certifications attesting to the accuracy of the information they have provided to DCHA;

6601.48 DCHA may require a family to certify that a family member does not receive a particular type of income or benefit;

6601.49 The self-certification must be made in a format acceptable to DCHA and must be signed by the family member whose information or status is being verified.

6601.50 Self-certification is not acceptable for the following:

(a) Social Security/SSI benefits;

(b) Public assistance;

(c) Disability (unless obvious or otherwise known, for reasonable accommodation purposes only);

(d) Unemployment;

(e) Veteran's Administration pension;

(f) Court-ordered child support;

(g) Worker's compensation;

(h) Unreimbursed medical expenses; and

(i) Full-time student status.

6602 VERIFYING FAMILY INFORMATION

6602.1 DCHA requires families to furnish the following verification of legal identity for each household member:

Verification of Legal Identity for Adults	Verification of Legal Identity for Children
Certificate of birth, naturalization papers	Certificate of birth
Church issued baptismal certificate	Adoption papers
Current, valid driver's license or Department of Motor Vehicle identification card	Custody agreement
U.S. military discharge (DD 214)	Health and Human Services ID
Current U.S. passport	Certified school records
Current government employer identification card with picture	

(a) If a document submitted by a family is illegible for any reason or otherwise questionable, more than one of these documents may be required;

(b) If none of these documents can be provided and at DCHA's discretion, a third party who knows the person may attest to the person's identity. The certification must be provided in a written format acceptable to DCHA and be signed by the family member whose information or status is being verified; and

(c) Legal identity is verified for all applicants at the time of eligibility determination and in cases where DCHA has reason to doubt the identity of a person representing themselves to be a tenant or a member of a tenant family.

6602.2 The family must provide documentation of a valid SSN for each member of the household, with the exception of individuals who do not contend eligible immigration status. Exemptions also include existing residents who were at least 62 years of age as of January 31, 2010, and had not previously disclosed an SSN.

6602.3 Note that an individual who previously declared to have eligible immigration status

may not change their declaration for the purpose of avoiding compliance with the SSN disclosure and documentation requirements or penalties associated with noncompliance with these requirements. Additionally, the head of household may not opt to remove a household member from the family composition for this purpose.

6602.4 DCHA must accept the following documentation as acceptable evidence of the SSN:

(a) An original SSN card issued by the SSA;

(b) An original SSA issued document, which contains the name and SSN of the individual; and

(c) An original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual.

6602.5 DCHA may only reject documentation of an SSN provided by an applicant or resident if the document is not an original document, if the original document has been altered, mutilated, is illegible, or if the document appears to be forged.

6602.6 DCHA shall explain to the applicant or resident the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to DCHA within thirty (30) days.

6602.7 If an applicant family includes a child under six (6) years of age who joined the household within the six (6) months prior to the date of program admission, an otherwise eligible family may be admitted and must provide documentation of the child's SSN within ninety (90) days.

6602.8 DCHA grants one additional ninety (90) day extension (for a total of one hundred eighty (180) days to submit) if needed for reasons beyond the applicant's control, such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.

6602.9 When a resident requests to add a new household member who is at least six (6) years of age, or who is under the age of six (6) and has an SSN, the resident must provide the complete and accurate SSN assigned to each new member at the time of reexamination or recertification, in addition to the documentation required to verify it. DCHA may not add the new household member until such documentation is provided.

6602.10 When a resident requests to add a new household member who is under the age of six (6) and has not been assigned an SSN, the resident must provide the SSN assigned to each new child and the required documentation within ninety (90)

calendar days of the child being added to the household.

(a) DCHA grants one additional ninety (90) day extension (for a total of one hundred eighty (180) days to submit) if needed for reasons beyond the resident's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.

(b) Social Security numbers must be verified only once during continuously assisted occupancy unless DHCA has reason to question the accuracy of the information provided.

6602.11 [RESERVED]

6602.12 A birth certificate or other official record of birth is the preferred form of age verification for all family members.

6602.13 For elderly family members an original document that provides evidence of the receipt of Social Security retirement benefits is acceptable.

6602.14 If an official record of birth or evidence of Social Security retirement benefits cannot be provided, DCHA requires the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

6602.15 Age need only be verified once during continuously assisted occupancy unless DCHA has reason to believe the information provided is inaccurate.

6602.16 Applicants and tenants are required to identify the relationship of each household member to the head of household. Definitions of the primary household relationships are provided in Chapter 61.

6602.17 Family relationships are verified only to the extent necessary to determine a family's eligibility and level of assistance. Certification by the head of household normally is sufficient verification of family relationships.

6602.18 If DCHA has reasonable doubts about a marital relationship, DCHA shall require the family to document the marriage with a marriage certificate or other documentation to verify that the couple is married.

6602.19 In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (such as, by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

6602.20 If DCHA has reasonable doubts about a divorce or separation, DCHA shall require the family to provide documentation of the divorce or separation with a certified

copy of a divorce decree, signed by a court officer; a copy of a court-ordered maintenance or other court record; or other documentation that shows a couple is divorced or separated.

6602.21 If an adult member who was formerly a member of the household is reported to be permanently absent, the family must provide evidence to support that the person is no longer a member of the family (such as, documentation of another address at which the person resides such as a lease or utility bill).

6602.22 For foster children and/or foster adults in the household, third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

6602.23 DCHA requires families to provide information about the student status of all students who are eighteen (18) years of age or older. This information is verified only if:

(a) The family claims full-time student status for an adult other than the head, spouse, or cohead; or

(b) The family claims a childcare deduction to enable a family member to further their education.

6602.24 DCHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income.

6602.25 Verification of receipt of disability benefits from the SSA is sufficient for verification of disability for the purpose of qualification for waiting list preferences or certain income disallowances and deductions.

6602.26 Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR §5.403, necessary to qualify for waiting list preferences or certain income disallowances and deductions.

6602.27 For family members claiming disability who do not receive SSI or other disability payments from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See Chapter 61. The knowledgeable professional verifies whether the family member does or does not meet the HUD definition.

6602.28 Federal housing assistance is not available to persons who are not citizens, nationals, or eligible immigrants. Prorated assistance is provided for "mixed families" containing both eligible and ineligible persons.

6602.29 The family must provide a certification that identifies each family member as a U.S. citizen, a U.S. national, an eligible noncitizen or an ineligible noncitizen and submit the documents discussed below for each family member; this must be signed personally by any family member eighteen (18) or older and by a guardian for minors. Once eligibility to receive assistance has been verified for an individual it need not be collected or verified again during continuously-assisted occupancy, unless DCHA has reason to believe inaccurate information has been provided.

6602.30 Family members who claim U.S. citizenship or national status are not required to provide additional documentation unless DCHA receives information indicating that an individual's declaration may not be accurate.

6602.31 The documentation required for eligible noncitizens varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, age, and the date on which the family began receiving HUD-funded assistance.

6602.32 For family members age sixty-two (62) or older who claim to be eligible immigrants, proof of age is required in the manner described in §§ 6602.15-6602.17 of this ACOP. No further verification of eligible immigration status is required.

6602.33 For family members under the age of sixty-two (62) who claim to be eligible immigrants, the family must provide verification of their status, and DCHA must verify immigration status with the U.S. Citizenship and Immigration Services (USCIS).

6602.34 DCHA follows all USCIS protocols for verification of eligible immigration status.

6603 VERIFYING INCOME AND ASSETS

6603.1 Section 6501 of this ACOP describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This section provides DCHA policies that supplement the general verification procedures specified in § 6601.

6603.2 [RESERVED]

6603.3 Employment verification will be verified according to the verification hierarchy as noted in § 6601. For verification of wages using pay stubs, DCHA requires the most current (as defined in §§ 6601.10 and 6601.26), consecutive pay stubs based on frequency of receipt as follows: four (4) weekly pay stubs, two (2) bi-weekly or semi-monthly pay stubs, and/or two (2) monthly pay stubs. At DCHA's discretion, if additional paystubs are needed due to the family's circumstances (such as, sporadic income and fluctuating schedule), DCHA may request additional paystubs or a payroll record.

6603.4 Business and Self-Employed Income

(a) Business owners and self-employed persons are required to provide:

(1) An audited financial statement for the previous fiscal year if an audit was conducted. If an audit was not conducted, a profit and loss statement of income must be submitted, and the business owner or self-employed person must certify to its accuracy; and

(2) DCHA reserves the right to request all schedules completed for filing federal and local taxes in the preceding year;

(3) If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

(b) DCHA provides a format for any person who is unable to provide such a statement to record income and expenses for the coming year. The business owner/self-employed person is required to submit the information requested and to certify to its accuracy at all future reexaminations.

(c) At any reexamination DCHA may request documents that support submitted financial statements such as manifests, appointment books, cash books, or bank statements.

(d) For self-employment income from a rental property, the family must provide:

(1) A current executed lease for the property that shows the rental amount or certification from the current tenant; and

(2) A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year. DCHA may request additional documentation to verify net rental income.

(e) If a family member has been self-employed less than three (3) months, DCHA shall accept the family member’s certified estimate of income and schedule an interim reexamination in three (3) months. If the family member has been self-employed for three (3) to twelve (12) months DCHA shall require the family to provide documentation of income and expenses for this period and use that information to project income.

6603.5 For policies governing streamlined income determinations for fixed sources of income, please see Chapter 68.

6603.6 Verification requirements for Social Security (SS) and Supplemental Security Income (SSI) benefits differ for applicants and participants.

6603.7 Applicants must provide a copy of their current SS or SSI benefit letter (documents must be dated within the appropriate benefit year; see Section 6601.8) for each family member that receives SS or SSI benefits.

6603.8 For residents, DCHA must obtain information through the EIV system and confirm with the tenant that the current listed benefit amount is correct.

6603.9 If the resident disputes the EIV reported benefit amount, or if benefit information is not available in EIV, DCHA must request a current SSA benefit verification letter (documents must be dated within the appropriate benefit year; see Section 6601.8) from each family member that receives SS or SSI benefits.

6603.10 Photocopies of Social Security checks or bank statements are not acceptable forms of verification for SS or SSI benefits.

6603.11 If the family reports that it receives child support or alimony payments, whether regular or irregular, DCHA will follow the verification hierarchy to obtain documentation of the frequency and amount of payments received by the family. As needed, DCHA may require verification that such payments are no longer received.

6603.12 Upon HUD approval, DCHA's verification of assets depends on the market value of the family's total assets as described below:

(a) When a family's total assets have a market value of Fifty Thousand Dollars ($50,000) or less, DCHA will use self-certification to verify the market value of the asset. However, DCHA reserves the right to require third-party verification of assets if it has reason to believe the family has unreported or under-reported income or assets; or

(b) When a family's total assets have a market value exceeding Fifty Thousand Dollars ($50,000), DCHA will use its established verification methods to verify the market value of the asset.

6603.13 The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. DCHA needs to verify only those certifications that warrant documentation.

6603.14 DCHA verifies the value of assets disposed of only if:

(a) DCHA does not already have a reasonable estimation of its value from previously collected information; or

(b) The amount reported by the family in the certification appears

obviously in error.

6603.15 A detailed discussion of excluded income is provided in § 6503.

6603.16 HUD guidance on verification of excluded income draws a distinction between income which is fully excluded and income which is only partially excluded.

6603.17 [RESERVED]

6603.18 DCHA accepts the family's self-certification as verification of fully excluded income, except as noted in § 6601.40. DCHA may request additional documentation if necessary to document the income source.

6603.19 [RESERVED]

6603.20 DCHA verifies the source and amount of partially excluded income as described in § 6601 of this chapter.

6603.21 DCHA may check UIV sources or request information from third-party sources to verify that certain forms of income such as unemployment benefits, TANF, Social Security, SSI, earned income, etc. are not being received by families claiming to have zero annual income.

6603.22 For families reporting no income or only income that is excluded, DCHA requires the tenant to complete a zero-income affidavit; DCHA may complete a follow up reexamination within one hundred eighty (180) days.

6604 VERIFYING MANDATORY DEDUCTIONS

6604.1 The dependent and elderly/disabled family deductions require only that DCHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

6604.2 DCHA verifies that the head, spouse, or cohead is fifty-five (55) years of age or older or a person with disabilities.

6604.3 Policies related to medical expenses are found in §§ 6502.7-6502.10. The amount of the deduction is verified following the standard verification procedures described in § 6601.

6604.4 Medical expenses are verified through:

(a) Written third-party documents provided by the family, such as printouts or receipts;

(b) DCHA makes a best effort to determine what expenses from the past are

likely to continue to occur in the future.

(c) DCHA also accepts evidence of monthly payments or total payments that shall be due for medical expenses during the upcoming twelve (12) months; and

(d) Written third-party verification forms if the family is unable to provide acceptable documentation.

6604.5 Elderly/disabled families may be required to certify that the medical expenses are not paid or reimbursed to the family from any source. If expenses are verified through a third party, the third party must certify that the expenses are not paid or reimbursed from any other source.

6604.6 In addition to § 6604.4, DCHA must verify that:

(a) The household is eligible for the deduction;

(b) The costs to be deducted are qualified medical expenses;

(c) The expenses are not paid for or reimbursed by any other source; and

(d) Costs incurred in past years are counted only once.

6604.7 The medical expense deduction is permitted only for households in which the head, spouse, or cohead is at least fifty-five (55) or a person with disabilities.

6604.8 To be eligible for the medical expenses deduction, the costs must qualify as medical expenses as discussed in Chapter 65.

6604.9 [RESERVED]

6604.10 When anticipated costs are related to on-going payment of medical bills incurred in past years, DCHA shall verify:

(a) The anticipated repayment schedule;

(b) The amounts paid in the past; and

(c) Whether the amounts to be repaid have been deducted from the family's annual income in past years.

6604.11 Policies related to disability assistance expenses are found in §§ 6502.11- 6502.26 The amount of the deduction is verified following the standard verification procedures described in § 6601.

6604.12 Expenses for attendant care are verified through:

(a) Written third-party documents provided by the family, such as receipts or cancelled checks;

(b) Third-party verification form signed by the provider, if family-provided documents are not available; and

(c) If third-party verification is not possible, written family certification as to costs anticipated to be incurred for the upcoming twelve (12) months.

6604.13 Expenses for auxiliary apparatus are verified through;

(a) Written third-party documents provided by the family, such as billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that are due for the apparatus during the upcoming twelve (12) months;

(b) Third-party verification form signed by the provider, if family-provided documents are not available; and

(c) If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months.

6604.14 In addition to §§ 6604.10-12, DCHA must verify:

(a) The family member for whom the expense is incurred is a person with disabilities;

(b) The expense permits a family member, or members, to work; and

(c) The expense is not reimbursed from another source.

6604.15 [RESERVED]

6604.16 To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

6604.17 The family is required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

6604.18 Policies related to childcare expenses are found in Chapter 65. The amount of the deduction for childcare expenses shall be verified following the standard verification procedures described in § 6601. In addition, DCHA must verify that:

(a) The child is eligible for care (twelve (12) or younger);

(b) The costs claimed are not reimbursed;

(c) The costs enable a family member to work, actively seek work, or further their education;

(d) The costs are for an allowable type of childcare; and

(e) The costs are reasonable.

6604.19 To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of thirteen (13). DCHA verifies that the child being cared for (including foster children) is under the age of thirteen (13).

6604.20 The family and the care provider are required to certify that the childcare expenses are not paid by or reimbursed to the family from any source.

6604.21 DCHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

6604.22 DCHA may verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

6604.23 The type of care to be provided is determined by the family, but must fall within certain guidelines, as discussed in Chapter 65.

(a) DCHA verifies that the type of childcare selected by the family is allowable, as described in Chapter 65;

(b) DCHA verifies that the fees paid to the childcare provider cover only childcare costs (such as no housekeeping services or personal services) and are paid only for the care of an eligible child (for example, prorate costs if some of the care is provided for ineligible family members); and

(c) DCHA verifies that the childcare provider is not an assisted family member. Verification is made through the head of household's declaration of family members who are expected to reside in the unit.

6604.24 Only reasonable childcare costs can be deducted.

(a) The actual costs the family incurs is compared with DCHA's established standards of reasonableness for the type of care in the locality to ensure that

the costs are reasonable; and

(b) If the family presents a justification for costs that exceed typical costs in the area, DCHA requests additional documentation, as required, to support a determination that the higher cost is appropriate.

Chapter 67, [RESERVED], of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 67 LEASING AND INSPECTIONS

6700 INTRODUCTION

6700.1 This Chapter is divided into three (3) sections as follows:

(a) Section 6701 describes pre-leasing activities and DCHA's policies pertaining to lease execution, lease modification, and payments under the lease;

(b) Section 6702 describes DCHA's policies for inspecting dwelling units; and

(c) Section 6703 describes the criteria for Biennial HQS Inspections.

6700.2 [RESERVED]

6700.3 [RESERVED]

6701 LEASING

6701.1 The Lessee is the member(s) of the eligible family who have signed the Lease.

6701.2 The term of the lease will be for a period of twelve (12) months. The lease will be renewed automatically for another twelve (12) month term, except that DCHA may not renew the lease if the family has violated the community service requirement or unless the lease has been terminated pursuant to Chapter 78.

6701.3 After unit acceptance but prior to occupancy, a DCHA representative shall conduct a lease orientation with the Lessee. The Lessee is required to attend the orientation.

6701.4 When families attend the lease orientation, they are provided with:

(a) A copy of the lease;

(b) A copy of DCHA's grievance procedure;

(c) A copy of the house rules (if applicable for the development);

(d) A copy of DCHA's schedule of maintenance charges;

(e) A copy of "Is Fraud Worth It?" (Form HUD-1141-OIG), which explains the types of actions a family must avoid and the penalties for program abuse;

(f) A copy of "What You Should Know about EIV," a guide to the Enterprise Income Verification (EIV) system published by Department of Housing and Urban Development (HUD) as an attachment to Notice PIH 2017-12;

(g) A copy of the form HUD-5380, Violence Against Women Act (VAWA) Notice of Occupancy Rights;

(h) A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking;

(i) A copy of DCHA's smoke free policy;

(j) For units where tenants are responsible for paying utilities, a notice that includes the procedures for requesting relief and DCHA's criteria for granting requests for relief for excess utility surcharges;

(k) The HUD pamphlet on lead-based paint entitled, "Protect Your Family from Lead in Your Home.";

(l) A copy of the Pet Policy located in Chapter 70;

(m) The D.C. Tenant Bill of Rights; and

(n) For units where tenants are responsible for paying utilities, a copy of the schedule of Excess Utility Charges;

6701.5 Topics to be discussed and explained to the head of household at the lease orientation include:

(a) Applicable deposits and all other charges;

(b) Review and explanation of lease provisions;

(c) Unit maintenance requests and work orders;

(d) DCHA's regular and interim reporting requirements;

(e) Review and explanation of occupancy forms;

(f) Community service requirements;

(g) Family choice of rent;

(h) VAWA protections;

(i) Smoke-free policies;

(j) Pet Policy; and

(k) Consequences for any breach of the lease.

6701.6 The lease must be executed by the Lessee and DCHA, except for interim changes to household members and automatic renewals of a lease. The Rent Change letter, which is sent to the Lessee after interim and regular recertification and provides information on changes resulting from the recertification, serves as a supplement to the lease.

6701.7 A lease is executed at the time of admission for all new residents. A new lease is also executed at the time of transfer from one DCHA unit to another or if there is a new Lessee.

6701.8 The lease will state the composition of the household as approved by DCHA (family members and any DCHA-approved live-in aide).

6701.9 The head of household and spouse or co-head, are required to sign the public housing lease prior to admission. An appointment shall be scheduled for the parties to execute the lease.

6701.10 DCHA will provide the Lessee is a copy of the executed lease and DCHA shall retain a copy in the resident's file.

6701.11 A live-in aide is not a party to the lease, a Lessee, or a family member and is not entitled to DCHA assistance.

6701.12 A live-in aide must sign a live-in aide Acknowledgement Statement form.

6701.13 The live-in aide may be terminated if the household member no longer requires an aide.

6701.14 The lease may be modified at any time by written agreement of the Lessee and an authorized representative of DCHA, except the following changes, which may be executed unilaterally by DCHA:

(a) Any change in rent, either an increase or decrease, shall be stated in a special supplement which shall, upon issuance, become part of the lease;

(b) Changes to implement excess utility charges;

(c) Any revision to reflect change in family composition other than head of household;

(d) Changes to implement Lessee's choice to voluntarily vacate;

(e) Late charges assessed from payment of Rent or utility;

(f) Special supplements to a lease which assesses the amount due under the prior lease;

(g) Changes in the amount of security deposit;

(h) Changes in DCHA's policies, rules and regulations; and

(i) Charges assessed pursuant to the Schedule of Charges posted in the Property Manager's Office.

6701.15 DCHA may modify its lease and lease addenda from time to time. However, DCHA will give the Lessee at least thirty (30) days advance notice of the proposed changes and an opportunity to comment on the changes. DCHA must also consider any comments before formally adopting a new lease.

6701.16 After proposed changes have been incorporated into the lease, each Lessee must be notified at least sixty (60) days in advance of the effective date of the new lease or lease revision.

6701.17 A Lessee's refusal to accept permissible and reasonable lease modifications that are made in accordance with HUD requirements, or are required by HUD, is grounds for termination of tenancy.

6701.18 The Lessee will have thirty (30) days to accept the revised lease. If the Lessee does not accept the offer of the revised lease within that thirty (30) day timeframe, the Lessee's tenancy is terminated for other good cause in accordance with the policies in Chapter 78.

6701.19 When DCHA proposes to modify or revise schedules of special charges or rules and regulations, DCHA will provide at least 30 days' written notice and an opportunity for affected residents to present written comments which will be taken into consideration by DCHA, in accordance with the regulations at 24 CFR § 966.5. DCHA will post a copy of the notice in the property management office and mail and/or deliver a copy of the notice to each resident family. Documentation of proper notice will be included in each resident file.

6701.20 DCHA shall require security deposits in accordance with the lease. The amount of the security deposit will not exceed one (1) month's rent.

6701.21 Lessee must pay a security deposit to DCHA at the time of admission. The amount of the security deposit is equal to the family's total tenant payment at the time of move-in and must be paid in full prior to occupancy.

6701.22 DCHA will retain the security deposit for the period the Lessee occupies the unit. DCHA shall not use the security deposit for rent or other charges while the resident is living in the unit.

6701.23 Within forty-five (45) days of move-out, DCHA shall refund to the Lessee the amount of the security deposit, less any amount needed to pay the cost of unpaid rent, damages listed on the move-out inspection report that exceed normal wear and tear, and any other charges or amounts due under the lease in accordance with Title 14 DCMR, § 309;

6701.24 In accordance with Title 14 DCMR, § 308.8, DCHA shall not pay any interest on any security deposits.

6701.25 If the Lessee transfers to another unit, the Lessee's security deposit shall be transferred to the transfer unit.

6701.26 If the Lessee was charged for any maintenance or other charges or amounts due for the original unit, those amounts shall be transferred to the new unit and DCHA may require a new security deposit from the Lessee prior to execution of a new lease for the transfer unit.

6701.27 If the Lessee transfers to another unit, whether requested by Lessee or required by DCHA, any consent judgment agreement, settlement agreement, pending cause of action, notice to vacate, notice to cure or vacate or notice of past due rent, or repayment agreement entered into while the Lessee resided at the original unit, shall automatically be transferred to, and become part of, the Lease for the unit to which the Lessee transferred. All prior balances will be transferred to the Lessee's obligations at the transfer unit.

6701.28 The lease will specify the initial amount of the rent at the beginning of the initial lease term, and DCHA must give written notice stating any change in the amount of rent and when the change is effective.

6701.29 The rent is due and payable at DCHA-designated location on the first of every month. If the first falls on a weekend or holiday, the rent is due and payable on the first business day thereafter.

6701.30 If the Lessee's rent changes, DCHA shall notify the Lessee of the new amount and the effective date by sending a Rent Change letter which becomes a special

supplement to the lease.

6701.31 If the Lessee fails to pay the rent by the tenth (10^{th}) day of the month, regardless of whether the tenth (10^{th}) day of the month is a holiday, Saturday, or Sunday, then the Lessee shall be liable for a late charge of five percent (5%) of the monthly rent or Fifty Dollars ($50.00), whichever is less.

6701.32 The notice of proposed adverse action will identify the specific grounds for the action and inform the Lessee of their right for a hearing under DCHA's grievance procedures.

6701.33 If the Lessee fails to pay the rent by the tenth day of the month, and DCHA has not agreed in writing to accept payment at a later date, DCHA shall serve the Lessee with a thirty (30) day notice of past due rent combined with a notice of intent to file claim.

6701.34 When a check is returned for insufficient funds or is written on a closed account, the rent will be considered unpaid and a returned check fee of Twenty-Five Dollars ($25.00) or the amount charged by the financial institution, whichever is larger, will be charged to the family.

6701.35 Notice of the availability of procedures for requesting relief (including DCHA representatives with whom initial contact may be made by the Lessee) and DCHA's criteria for granting requests, are included in each notice to residents of changes in surcharges as well as to new residents as part of the lease orientation.

6701.36 If DCHA charges the tenant for maintenance and repair beyond normal wear and tear, the lease will state the basis for the determination of such charges.

6701.37 Schedules of special charges for services and repairs due to damage by the tenant are incorporated in the lease by reference must be publicly posted in a conspicuous manner in the property management office and must be furnished to applicants and tenants upon request.

6701.38 The lease must provide those charges for maintenance and repair beyond normal wear and tear are not due and collectible until two (2) weeks after DCHA gives written notice of the charges. The written notice is considered an adverse action, and must meet the requirements governing a notice of adverse action.

6701.39 The notice of proposed adverse action must identify the specific grounds for the action and inform the family of their right for a hearing under the DCHA grievance procedures.

6701.40 When applicable, families are charged for maintenance and damages according to DCHA's current schedule. Work that is not covered in the schedule is charged based on the actual cost of labor and materials to make needed repairs (including

overtime, if applicable). Charges may include contractor fees for failure to provide access;

(a) Notices of maintenance and damage charges are mailed monthly and are in accordance with requirements regarding notices of adverse actions. Charges are due and payable fourteen (14) business days after billing.

(b) Nonpayment of maintenance and damage charges is a serious violation of the lease and is grounds for eviction.

6701.41 DCHA's minimum heating standards are as follows: DCHA shall comply with the requirements of the District Housing Code § 500, et seq. and applicable DC Property Maintenance Codes (such as 12 DCMR § 602 and 12 DCMR § 608.1) relating to heating and cooling requirements.

6702 INSPECTIONS

6702.1 This section contains DCHA's policies governing inspections, notification of unit entry, and inspection results.

6702.2 The lease will require DCHA and the Lessee to inspect the dwelling unit prior to occupancy in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by DCHA and the Lessee, must be provided to the Lessee and retained in the resident file.

6702.3 Lessee must attend the initial inspection and sign the inspection form.

6702.4 DCHA will inspect the unit at the time the resident vacates the unit and must allow the Lessee to participate in the inspection if they wish, unless the tenant vacates without notice to DCHA. DCHA must provide to the Lessee a statement of any charges to be made for maintenance and damage beyond normal wear and tear.

6702.5 The difference between the condition of the unit at move-in and move-out establishes the basis for any charges against the security deposit so long as the work needed exceeds that for normal wear and tear.

6702.6 When applicable, DCHA provides the Lessee with a statement of charges to be made for maintenance and damage beyond normal wear and tear, within fifteen (15) business days of conducting the move-out inspection.

6702.7 Annually, DCHA will self-inspect its properties, including all units, to ensure units are maintained in accordance with NSPIRE standards in 24 CFR § 5.703.

6702.8 As part of the self-inspection process, DCHA will ensure that deficiencies previously cited and repaired as a result of an NSPIRE inspection have not subsequently failed.

6702.9 DCHA will maintain the results of self-inspections for three (3) years and must provide the results to HUD upon request.

6702.10 Supervisory quality control inspections are conducted in accordance with DCHA's maintenance plan.

6702.11 DCHA staff may access the unit in order to conduct a special inspection for any of the following reasons:

(a) Housekeeping;

(b) Unit condition;

(c) Suspected lease violation;

(d) Preventive maintenance;

(e) Routine maintenance; and

(f) There is reasonable cause to believe an emergency exists.

6702.12 Building exteriors, grounds, common areas and systems are inspected according to DCHA's maintenance plan.

6702.13 DCHA may enter the unit, with reasonable advance notification to perform routine inspections and maintenance, make improvements and repairs, or to show the unit for re-leasing.

6702.14 DCHA shall notify the Lessee in writing at least forty-eight (48) hours prior to any non-emergency inspection;

6702.15 For regular inspections, DCHA will provide the Lessee at least forty-eight (48) hours written notice of the inspection to allow the family to prepare the unit for the inspection;

6702.16 Except for emergencies, entry for repairs requested by the Lessee will follow forty-eight (48) hours' written notice, unless the family waives that timeframe;

6702.17 Except for emergencies, DCHA staff shall not enter the dwelling unit to perform inspections or repairs where a pet resides unless accompanied for the entire duration of the inspection by the pet owner or responsible person designated by the pet owner in accordance with the pet policies in Chapter 70.

6702.18 Except for emergencies, management shall not enter the dwelling unit to perform inspections or repairs when a minor child is alone in the premises.

6702.19 DCHA may enter the dwelling unit at any time without advance notice when there is reasonable cause to believe that an emergency exists. If no adult household member is present at the time of an emergency entry, DCHA must leave a written statement showing the date, time, and purpose of the entry prior to leaving the dwelling unit.

6702.20 Failure to provide access for an inspection after proper notice is a violation of the lease. If the Lessee changes or adds a lock to the premises, the Lessee must provide a key to DCHA within twenty-four (24) hours of the change.

6702.21 The Lessee is required to be present for move-in inspections. There is no such requirement for other types of inspections. The Lessee may attend the inspection if they wish.

6702.22 If no one is at home for an annual inspection, the inspector shall enter the unit, conduct the inspection, and provide the Lessee with a copy of the inspection report within forty-eight (48) hours of the conducted inspection.

6702.23 DCHA will maintain safe and habitable dwelling units and make necessary repairs to dwelling units in accordance with the regulations at 24 CFR § 966.4(e). Under NSPIRE, DCHA must correct all life-threatening or severe deficiencies within twenty-four (24) hours.

6702.24 If DCHA cannot make repairs within a reasonable period of time, DCHA must offer the Lessee standard alternative accommodations.

6702.25 If DCHA can neither repair the defect within a reasonable time frame nor offer alternative housing, rent shall be abated in proportion to the seriousness of the damage.

6702.26 Rent shall not be abated if the damage was caused by a household member or guest, the Lessee failed to report the violation, or if the resident rejects the alternative accommodations.

6702.27 If the unit is damaged to the extent that conditions are created which are hazardous to the life, health, or safety of the occupants, the Lessee must immediately notify the DCHA of the damage, and DCHA must make repairs within a reasonable time frame.

6702.28 DCHA will correct deficiencies resulting in a non-emergency work order identified during a DCHA-conducted inspection within fifteen (15) business days of the inspection date. If DCHA is unable to make repairs within that period due to circumstances beyond DCHA's control (for example, required parts or services are not available, or due to weather conditions) DCHA will notify the family of an estimated date of completion. The Lessee must allow DCHA access to the unit to make repairs.

6702.29 Except for emergencies, DCHA staff shall not enter the dwelling unit to perform repairs where a pet resides unless accompanied for the entire duration of the repair by the pet owner designated by the Lessee in accordance with the pet policies in Chapter 70.

6702.30 Damages to the unit beyond wear and tear are billed to the Lessee in accordance with the policies in Chapter 67.

6702.31 Repeated or excessive damages to the unit beyond normal wear and tear are considered a serious or repeated violation of the lease.

6702.32 Families must keep the unit in a clean and safe condition and dispose of all garbage, rubbish and other waste in a sanitary and safe manner.

6702.33 DCHA considers a unit unclean or unsafe if it contains fire or other hazards (including but not limited to conditions created by the household or their guests that encourage insect or rodent infestation or that increase the insurance obligations of the property) or clutter that in DCHA's sole discretion affects or may affect the health and safety of the dwelling unit or on the premises. In these instances, DCHA may provide proper notice of a lease violation to the Lessee.

6702.34 A reinspection will be conducted within thirty (30) calendar days to confirm that the family has complied with the requirement to abate the problem.

6702.35 Failure to abate the problem or allow for a re-inspection is considered a violation of the lease and may result in termination of tenancy in accordance with Chapter 78.

6702.36 Notices of lease violation are also issued to the Lessee if any member of the family purposely disengage the unit's smoke detector or carbon monoxide alarm. Only one warning will be given. A second incidence will result in lease termination.

6702.37 During an NSPIRE inspection, REAC inspectors will inspect areas and associated items or components that are listed in the regulations as affirmative requirements and those included within the NSPIRE standards.

6702.38 DCHA will provide all residents with at least seven (7) days' notice of an NSPIRE inspection. Notice will be provided through multiple communication methods, including by posted notice on each resident's door and through email where applicable. All materials, notices, and communications to families regarding the inspection will be clearly communicated and provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities consistent with Section 504 of the Rehabilitation Act (Section 504) and HUD's Section 504 regulation, and Titles II or III of the Americans with Disabilities Act (ADA) and implementing regulations.

6702.39 DCHA will correct all Life-Threatening and Severe deficiencies within twenty-four

(24) hours. Correcting the deficiency means DCHA will resolve or sufficiently address the deficiency in a manner that it no longer poses a severe health or safety risk to residents or the hazard is blocked until permanent repairs can be completed. A correction could include controlling or blocking access to the hazard by performing a temporary relocation of the resident while repairs are made.

6702.40 While DCHA will complete all repairs expeditiously, if a permanent repair is not possible within twenty-four (24) hours, DCHA will correct the deficiency by performing an interim repair to remove the health and safety hazard. If the correction is temporary or professional services or materials are unavailable within twenty-four (24) hours, DCHA will provide a target date for permanent correction. Such interim repairs will be fully completed within a reasonable timeframe approved by HUD.

6702.41 The family must allow DCHA access to the unit to make repairs, subject to notification requirements in § 6702.16.

6702.42 If DCHA is unable to make repairs within the periods identified in the NSPIRE standards due to circumstances beyond DCHA's control (e.g., required parts or services are not available, weather conditions), DCHA will provide HUD with a timeframe for completing permanent repairs and obtain HUD approval. DCHA will also notify the family of an estimated date of completion.

6703 SMOKING POLICY

6703.1 In accordance with the HUD requirements at 24 CFR § 965.653, and PIH Notice 2017-03, DCHA has implemented smoke-free policies.

6703.2 The DCHA smoking policy applies to all employees, residents, household members, guests, and service persons. Residents are responsible for ensuring that household members and guests comply with this rule.

6703.3 Due to the increased risk of fire, increased maintenance costs, and the known health effects of secondhand smoke, smoking is prohibited in all living units and interior areas, including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures.

6703.4 Smoking is also prohibited in outdoor areas within twenty-five (25) feet from public housing and administrative office buildings.

6703.5 Possession of Prohibited Products is also prohibited in the areas listed in § 6703.3 and § 6703.4.

6703.6 DCHA is not a guarantor of a smoke-free environment. DCHA is not required to take steps in response to smoking unless it has actual knowledge of the smoking and the identity of the responsible resident.

6703.7 Lease Violation. Residents are responsible for the actions of their household, their guests, and visitors. Repeated failures to adhere to conditions in §§ 6703.3- 6703.6 will constitute both a material non-compliance with the lease agreement and a serious violation of the Lease Agreement. In addition, resident will be responsible for all costs to remove smoke odor or residue upon any violation of this section.

6703.99 Definitions.

The term "Prohibited Products" include paraphernalia such as water pipes or hookahs.

The term "smoking" means:

(a) Inhaling, exhaling, breathing, carrying, or possessing any lighted cigar, cigarette, pipe, or other tobacco product or similar lighted product in any manner or in any form.

(b) Inhaling, exhaling, breathing, carrying, or possessing any Electronic Nicotine Delivery Systems (ENDS) which includes e-cigarettes, nicotine inhalers, and vaping devices.

(c) Any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other prohibited marijuana product in any manner or any form, including medical marijuana.

Chapter 68, [RESERVED], of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 68 REEXAMINATIONS

6800 INTRODUCTION

6800.1 DCHA is required to reexamine each family's income and composition periodically, and to adjust the family's rent accordingly.

6800.2 The frequency with which the DCHA must reexamine the income and composition of a family depends on whether the family pays income-based rent or flat rent. HUD requires DCHA to offer all families the choice of paying income-based rent or flat rent at least annually. DCHA's policies for offering families a choice of rents is located in Chapter 65.

6800.3 This Chapter 68 discusses reexaminations in the following matter:

(a) Section 6801 describes regular reexaminations for Families Paying Income Based Rents. This section discusses the requirements for biennial or

triennial (as applicable) reexamination of income and family composition. Full reexaminations are conducted at least once every two (2) or three (3) (as applicable) years for families paying income-based rents;

(b) Section 6802 describes Reexaminations for Families Paying Flat Rents. This section contains the DCHA's policies for conducting full reexaminations of family income and composition for families paying flat rents. These full reexaminations are conducted at least once every three (3) years. This section also contains DCHA's policies for conducting annual updates of family composition for flat rent families;

(c) Section 6803 describes Interim Reexaminations. This section includes HUD requirements and DCHA policies related to when a family may and must report changes that occur between regular reexaminations; and

(d) Section 6804 describes Recalculating Tenant Rent. After gathering and verifying required information for a regular or interim reexamination, DCHA must recalculate the tenant rent. While the basic policies that govern these calculations are provided in Chapter 65, this section describes the policies that affect these calculations during a reexamination.

6800.4 Policies governing reasonable accommodation, family privacy, required family cooperation, and program abuse, as described elsewhere in this ACOP, apply to annual and interim reexaminations.

6801 REGULAR REEXAMINATIONS FOR FAMILIES PAYING INCOME BASED RENTS

6801.1 For those families who choose to pay income-based rent, DCHA will conduct a reexamination of income and family composition at least biennially, according to their approved MTW initiative. However, DCHA conducts reexaminations at least triennially for elderly or disabled families who have a fixed income.

6801.2 For families who choose flat rents, DCHA will conduct a reexamination of family composition at least annually and will conduct a reexamination of family income at least once every three (3) years. Policies related to the reexamination process for families paying flat rent are located in § 6802.

6801.3 For all residents of public housing, whether those residents are paying income-based or flat rents, DCHA must conduct an annual review of community service requirement compliance.

6801.4 DCHA is required to obtain all of the information necessary to conduct reexaminations.

6801.5 Families are required to provide current and accurate information on income, assets,

allowances and deductions, household composition and community service compliance as part of the reexamination process.

6801.6 [RESERVED]

6801.7 [RESERVED]

6801.8 [RESERVED]

6801.9 [RESERVED]

6801.10 [RESERVED]

6801.11 [RESERVED]

6801.12 [RESERVED]

6801.13 DCHA schedules reexaminations to coincide with the family's anniversary date. DCHA begins the reexamination process approximately one hundred twenty (120) days in advance of the scheduled effective date.

6801.14 "Anniversary date" is defined as twenty-four (24) months from the effective date of the family's last reexamination (for families required to recertify biennially); or, during a family's first year in the program, from the effective date of the family's initial examination (admission); or thirty-six (36) months from the effective date of the family's last reexamination (for families required to recertify triennially).

6801.15 If the family transfers to a new unit, DCHA shall perform a new reexamination, and the anniversary date shall be changed.

6801.16 DCHA may also schedule a reexamination for completion prior to the anniversary date for administrative purposes.

6801.17 Families generally are required to participate in the reexamination interview, which must be attended by the head of household, spouse, or cohead. If participation in an in-person interview poses a hardship because of a family member's disability, the family should contact DCHA to request a reasonable accommodation pursuant to Chapter 61.

6801.18 Notification of reexamination interviews are sent by first-class mail or by email and contain the date, time, and location of the interview. Notification shall inform the family of the information and documentation that must be brought to the interview.

6801.19 If the family is unable to attend a scheduled interview, the family must contact DCHA in advance of the interview to schedule a new appointment.

6801.20 In all circumstances, if a family does not attend the scheduled interview DCHA sends a second notification with a new interview appointment time.

6801.21 If a family fails to attend two (2) scheduled interviews without DCHA approval, the family is in violation of their lease and may be terminated in accordance with the policies in Chapter 78.

6801.22 An advocate, interpreter, or other assistant may assist the family in the reexamination interview process.

6801.23 The terms of the public housing lease require the family to furnish information regarding income and family composition as may be necessary for the redetermination of rent, eligibility, and the appropriateness of the housing unit.

6801.24 Families are asked to bring all required information (as described in the reexamination notice) to the reexamination appointment. The required information includes but is not limited to a DCHA-designated reexamination form, as well as supporting documentation related to the family's income, expenses, and household composition.

6801.25 Any required documents or information that the family is unable to provide at the time of the interview or any stated deadline must be provided within ten (10) business days of the interview. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension.

6801.26 If the family does not provide the required documents or information within the required time frame (plus any extensions), the family is in violation of their lease and will be subject to termination in accordance with the policies in Chapter 78.

6801.27 The information provided by the family generally must be verified in accordance with the policies in Chapter 66. Unless the family reports a change, or the agency has reason to believe a change has occurred in information previously reported by the family, certain types of information that are verified at admission typically do not need to be re-verified on an annual basis. These include:

(a) Legal identity;

(b) Age;

(c) Social Security numbers;

(d) A person's disability status; and

(e) Citizenship or immigration status.

6801.28 Changes in family or household composition may make it appropriate to consider

transferring the family to comply with occupancy standards. DCHA may use the results of the annual reexamination to require the family to move to an appropriate size unit. Policies related to such transfers are located in Chapter 77.

6801.29 Information obtained through criminal background checks may be used for lease enforcement and eviction. Criminal background checks of residents may be conducted in DCHA's sole discretion.

6801.30 Each household member age eighteen (18) and over is required to sign a consent form for a criminal background check as part of the reexamination process.

6801.31 At the reexamination, as part of the recertification questionnaire, DCHA asks whether the tenant, or any member of the tenant's household, is subject to a lifetime sex offender registration requirement in any state. DCHA uses the Dru Sjodin National Sex Offender database to verify the information provided by the tenant.

6801.32 DCHA proposes to terminate assistance based on lifetime sex offender registration information, DCHA must notify the household of the proposed action and must provide the subject of the record and the tenant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to termination in accordance with Chapter 78.

6801.33 For families who include nonexempt individuals, DCHA must determine compliance with community service requirements once each twelve (12) months in accordance with Chapter 73.

6801.34 As part of the biennial/triennial reexamination process, DCHA must make appropriate adjustments in the rent after consultation with the family and upon verification of the information.

(a) In general, an increase in the tenant rent that results from a reexamination shall take effect on the family's anniversary date, and the family shall be notified at least thirty (30) days in advance.

(1) If less than thirty (30) days remain before the scheduled effective date, the increase shall take effect on the first of the month following the end of the thirty (30) day notice period;

(2) If DCHA chooses to schedule a reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date shall be determined by DCHA, but shall always allow for the thirty (30) day notice period; and

(3) If the family causes a delay in processing the reexamination, *increases* in the tenant rent is applied retroactively to the scheduled effective date of the annual reexamination. The family is responsible

for any underpaid rent and may be offered a repayment agreement in accordance with the policies in Chapter 81.

(b) In general, a *decrease* in the tenant rent that results from a reexamination shall take effect on the family's anniversary date.

(1) If DCHA chooses to schedule a reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date shall be determined by DCHA's discretion.

(2) If the family causes a delay in processing the regular reexamination, *decreases* in the tenant rent shall be applied prospectively, from the first day of the month following completion of the reexamination processing.

(c) Delays in reexamination processing are considered to be caused by the family if the family fails to provide information requested by DCHA by the date specified, and this delay prevents DCHA from completing the reexamination as scheduled.

6802 REEXAMINATIONS FOR FAMILIES PAYING FLAT RENTS

6802.1 DCHA's policies for offering families a choice of rents are located in Chapter 65.

6802.2 For families who choose flat rents, DCHA must conduct a reexamination of family composition at least annually and must conduct a reexamination of family income at least once every three (3) years.

6802.3 As it does for families that pay income-based rent, DCHA must also review compliance with the community service requirement for families with nonexempt individuals.

6802.4 This section contains DCHA's policies for conducting reexaminations of families who choose to pay flat rents. However, for flat rent families who become over-income, this policy will not apply; see § 6805 for DCHA's over-income policy.

6802.5 For families paying flat rents, DCHA conducts a reexamination of family composition and compliance with the community service requirement once every year. This is referred to as an "annual update".

6802.6 In conducting full reexaminations for families paying flat rents, DCHA follows the policies used for reexamination of families paying income-based rent, but triennially.

6802.7 [RESERVED]

6802.8 [RESERVED]

6802.9 [RESERVED]

6802.10 In scheduling the annual update, DCHA follows the policy used for scheduling the reexamination of families paying income-based rent.

6802.11 The terms of the public housing lease require the family to furnish information necessary for the redetermination of rent and family composition.

6802.12 Generally, the family is not required to attend an interview for an annual update. However, if DCHA determines that an interview is warranted, the family may be required to attend.

6802.13 Notification of the annual update is sent by first-class mail or email and informs the family of the information and documentation that must be provided to DCHA.

6802.14 The family has ten (10) business days to submit the required information to DCHA. If the family is unable to obtain the information or documents within the required time frame, the family may request an extension. DCHA accepts required documentation by mail, by email, or in person.

6802.15 If the family's submission is incomplete, or the family does not submit the information in the required time frame, DCHA shall send a second written notice to the family. The family has ten (10) business days from the date of the second notice to provide the missing information or documentation to DCHA.

6802.16 If the family does not provide the required documents or information within the required time frame (plus any extensions), the family is in violation of their lease and may be terminated in accordance with the policies in Chapter 78.

6802.17 Changes in family or household composition may make it appropriate to consider transferring the family to comply with occupancy standards. Policies related to such transfers are located in Chapter 77.

6802.18 Information obtained through criminal background checks may be used for lease enforcement and eviction. Criminal background checks of residents are conducted in accordance with Chapter 78.

6802.19 Each household member age eighteen (18) and over are required to execute a consent form for criminal background check as part of the annual update process.

6803 INTERIM REEXAMINATIONS

6803.1 Family circumstances may change during the period between reexaminations. Section 6803 defines the types of information about changes in family

circumstances that must be reported, and under what circumstances DCHA must process interim reexaminations to reflect those changes. When an interim reexamination is conducted, only those factors that have changed are verified and adjusted. DCHA is also able to conduct interim reexaminations of income or family composition at any time.

6803.2 [RESERVED]

6803.3 Section 6803 includes HUD and DCHA policies that describe the changes families are *required* to report, the changes families *may choose* to report, and how DCHA processes both DCHA- and family-initiated interim reexaminations.

6803.4 Changes in family or household composition may make it appropriate to consider transferring the family to comply with occupancy standards. Policies related to such transfers are located in Chapter 77.

6803.5 All families, those paying income-based rent as well as flat rent, must report all changes within thirty (30) calendar days in family and household composition that occur between reexaminations (or annual updates). Changes may be reported in writing by mail, email, or in-person.

6803.6 DCHA conducts interim reexaminations to account for any changes in household composition that occur between regular reexaminations.

6803.7 The addition of a family member as a result of birth, adoption, or court-awarded custody does not require DCHA approval. However, the family is required to promptly notify the DCHA of the addition.

6803.8 The family must inform DCHA of the birth, adoption, or court-awarded custody of a child within thirty (30) calendar days.

6803.9 With the exception of children who join the family as a result of birth, adoption, or court-awarded custody, a family must request DCHA approval to add a new family member or other household member (live-in aide, foster child, or foster adult).

6803.10 Families must request DCHA approval to add a new family member, live-in aide, foster child, or foster adult. This includes any person not on the lease who is expected to stay in the unit for more than ten (10) consecutive days or a total of thirty (30) cumulative calendar days during any twelve (12) month period and therefore no longer qualifies as a "guest." Requests must be made in writing and approved by DCHA prior to the individual moving into the unit.

6803.11 DCHA will not approve the addition of a new family or household member unless the individual meets DCHA's eligibility criteria (see Chapter 62) and documentation requirements (See Chapter 66 and § 6702).

6803.12 If DCHA determines that an individual does not meet DCHA's eligibility criteria or documentation requirements, DCHA will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial.

6803.13 DCHA makes its determination within a timely period of receiving all information required to verify the individual's eligibility.

6803.14 If a household member ceases to reside in the unit, the head of household must inform DCHA in writing of the change by mail, email, or in person within thirty (30) calendar days. This requirement also applies to family members who had been considered temporarily absent, who are now permanently absent.

6803.15 DCHA may initiate an interim reexamination as a result of measures undertaken to detect errors and program abuse described in § 8001.4. Additionally, an interim reexamination may occur when the family reports a change.

6803.16 Families paying flat rent are not required to report changes in income or expenses.

6803.17 DCHA conducts interim reexaminations in each of the following instances:

(a) For families receiving the Earned Income Disallowance (EID), DCHA conducts an interim reexamination at the conclusion of the twenty-four (24) month eligibility period or effective 1/1/2026, whichever is first;

(b) If the family has reported zero income, DCHA may conduct an interim reexamination every six (6) months as long as the family continues to report that they have no income;

(c) If at the time of the reexamination, it is not feasible to anticipate a level of income for the next twelve (12) months, DCHA shall schedule an interim reexamination to coincide with the end of the period for which it is feasible to project income; and

(d) DCHA may conduct an interim reexamination at any time in order to correct an error in a previous reexamination, or to investigate a tenant fraud complaint.

6803.18 DCHA will not perform an interim reexamination when a family reports within the required timeframe an increase in income within three (3) months of their regular recertification effective date.

6803.19 Income changes that require interim reexaminations:

(a) [RESERVED];

(b) DCHA only conducts interim reexaminations for families that qualify for the earned income disallowance (EID), and only when the EID family's rent changes as a result of the increase. In all other cases, DCHA notes the information in the tenant file but shall not conduct an interim reexamination; and

(c) Families are not required to report any other changes in income or expenses between recertifications or reexaminations. Any increase in income shall only be included in the determination or annual household income at the next recertification.

6803.20 The family may request an interim reexamination any time the family has experienced a change in circumstances since the last determination. DCHA must process the request if the family reports and provides verification of a change that results in a reduced family income.

6803.21 If a family reports a decrease in income from the loss of welfare benefits due to fraud or non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program, the family's share of the rent is not reduced. For more information regarding the requirement to impute welfare income see Chapter 65.

6803.22 If a family reports a change that it was not required to report and that would result in an increase in the tenant rent, DCHA notes the information in the tenant file but shall not conduct an interim reexamination.

6803.23 If a family reports a change that it was not required to report and that would result in a decrease in the tenant rent, DCHA conducts an interim reexamination.

6803.24 Families may report changes in income or expenses at any time in accordance with the following:

(a) The family may notify DCHA of changes in writing by mail, email, or in person.

(b) Generally, the family is not required to attend an interview for an interim reexamination. However, if DCHA determines that an interview is warranted, the family may be required to attend.

(c) Based on the type of change reported, DCHA determines the documentation the family is required to submit.

(d) The family must submit any required information or documents within ten (10) calendar days of receiving a request from DCHA.

(e) This time frame may be extended for good cause with DCHA approval.

(f) DCHA accepts required documentation by mail, by email, or in person.

6803.25 DCHA must make the interim reexamination within a reasonable time after the family request.

6803.26 If the family reports a change in family income or composition timely:

(a) For rent increases, DCHA must provide the family with thirty (30) days advance notice. The rent increase is effective the first of the month after the end of that thirty (30) day notice period.

(b) Rent decreases are effective on the first month after the change.

6803.27 If the family failed to report a change in family income or composition timely:

(a) For rent increases, DCHA must implement any resulting rent increases retroactively to the first (1st) of the month following the date of the change.

(b) For rent decreases, DCHA will apply the decrease the first (1st) of the month following completion of the interim reexamination.

6804 RECALCULATING TENANT RENT

6804.1 For those families paying income-based rent, DCHA must recalculate the rent amount based on the income information received during the reexamination process and notify the family of the changes.

6804.2 The tenant rent calculations must reflect any changes in DCHA's utility allowance schedule. Chapter 81 discusses how utility allowance schedules are established.

6804.3 Unless DCHA is required to revise utility allowances retroactively, revised utility allowances are applied to a family's rent calculations at the first annual reexamination after the allowance is adopted.

6804.4 The public housing lease requires DCHA to give the tenant written notice stating any change in the amount of tenant rent, and when the change is effective.

6804.5 When DCHA redetermines the amount of rent (Total Tenant Payment or Tenant Rent) payable by the tenant, not including determination of DCHA's schedule of Utility Allowances for families in DCHA's Public Housing Program, or determines that the tenant must transfer to another unit based on family composition, DCHA must notify the tenant that the tenant may ask for an explanation stating the specific grounds of DCHA determination, and that if the tenant does not agree with the determination, the tenant shall have the right to request a hearing under the DCHA's grievance procedure.

6804.6 During an annual or interim reexamination, DCHA may discover information previously reported by the family was in error or that the family intentionally misrepresented information.

6804.7 When errors resulting in the overpayment or underpayment of rent are discovered, corrections are made in accordance with the policies in Chapter 80.

6805 OVER-INCOME FAMILIES

6805.1 An "over-income family" is defined as a family with an annual income which exceeds the over-income limit. The over-income limit is calculated by multiplying the applicable income limit for a very low-income family, as defined in 24 CFR § 5.603(b), by a factor of 2.4. The over-income rule applies to all public housing program families, including families in the Family Self-Sufficiency (FSS) program, families receiving the Earned Income Disallowance, and families paying flat rent.

6805.2 If the family's income has exceeded the over-income limit for twenty-four (24) consecutive months, DCHA will terminate the family in accordance with the regulations at 24 CFR § 960.507(d).

6805.3 If an over-income family experiences a decrease in income during the twenty-four (24) month grace period, the family may request an interim reexamination in accordance with DCHA policy.

6805.4 If a previously over-income family is now below the over-income limit, the family is no longer subject to over-income provisions as of the effective date of the reexamination. In such instances, DCHA will notify the family in writing that they are no longer considered over-income and that the over-income policies no longer apply to them.

6805.5 If a family's income later exceeds the over-income limit again, the family will be entitled to a new twenty-four (24) month grace period.

6805.6 At a regular or interim reexamination, if a family's annual income exceeds the applicable over-income limit, DCHA will document the family file and begin tracking the family's over-income status. At this time, DCHA will notify the family in writing that:

(a) They have been determined to be over-income;

(b) If they continue to be over-income for twenty-four (24) consecutive months (twenty-four (24) month grace period), the family's assistance will be terminated; and

(c) They may request a hearing within a reasonable timeframe if they dispute the determination that they are over-income.

6805.7 Over-income families will be placed on an annual reexamination frequency beginning with the first regular or interim recertification in which the family exceeds the over-income limit. If a family is determined to be over-income at an interim recertification, DCHA will process an annual recertification for the family at that time, and reset the family's reexamination date to be effective twelve (12) months from the effective date of that transaction.

6805.8 If DCHA determines the family's annual income continues to exceed the applicable over-income limit for twelve (12) consecutive months, DCHA will notify the family, in writing, that:

(a) Their income continues to exceed the over-income limit;

(b) If their income exceeds the over-income limit for an additional twelve (12) months, the family's assistance will be terminated; and

(c) They may request a hearing if they dispute the determination that they are over-income.

6805.9 If DCHA determines the family's income has exceeded the applicable over-income limit for twenty-four (24) consecutive months, DCHA will notify the family in writing of this determination.

6805.10 The notice in § 6805.9 will inform the family that they have exceeded the over-income limit for twenty-four (24) consecutive months and state that the family's assistance will be terminated within six (6) months, in accordance with requirements outlined in § 7804. As with the prior notices, the final notice will also inform the family of their opportunity to dispute DCHA's determination that they have exceeded the over-income limit in accordance with the regulations at 24 CFR § 960.507(c)(3)(iii).

6805.11 During the period between this notice and termination, the family:

(a) Will continue to pay their choice of rent (income-based rent, flat rent or prorated rent for mixed income families); and

(b) Is permitted to request an interim reexamination during the period between notice and termination.

6805.12 The interim reexamination in § 6805.11 will not enable the family to avoid termination after the twenty-four (24) month grace period has elapsed; DCHA will proceed with termination regardless of whether the interim reexamination may be due to loss of income.

6805.13 DCHA will report to HUD each year the number of over-income families living in public housing and the number of families on its waiting list.

6805.14 The report in § 6805.13 will specify as of the end of the calendar year, the number of families residing in public housing with incomes exceeding the over-income limit and the number of families on the waiting lists for admission to public housing projects. These reports will be publicly available.

6805.15 The number of families residing in public housing with incomes exceeding the over-income limitation will include the number of families in the twenty-four (24) month grace period, those that are in the period before termination, and any other information regarding over-income families requested by HUD.

6805.16 DCHA will report annually on the number of families on waiting lists for admission to public housing.

6805.17 Waiting list data referenced in § 6805.16 will include all public housing waiting lists with duplicates removed and will be current as of December 31 of the previous calendar year.

Chapter 70, [RESERVED], of Title 14 DCMR, HOUSING, is renamed and replaced in its entirety to read as follows:

CHAPTER 70 ASSISTANCE ANIMALS AND PETS

7000 INTRODUCTION

This Chapter governs DCHA's policies on the keeping of pets and describes any criteria or standards pertaining to the policies. The rules adopted are reasonably related to the legitimate interest of DCHA to provide a decent, safe, and sanitary living environment for all tenants, and to protect and preserve the physical condition of the property, as well as the financial interest of DCHA.

7000.1 The chapter is organized as follows:

(a) Assistance animals. Section 7001 explains the difference between assistance animals, including service and support animals, and pets, and contains policies related to the designation of an assistance animal as well as their care and handling;

(b) Care of assistance animals and pets. Section 7002 discusses requirements for the care of animals in their units.

(c) Pet policies for all developments. Section 7003 includes pet policies that are common to both elderly/disabled developments and general occupancy

developments; and

(d) Pet deposits and fees. Section 7004 contains policies for pet deposits and fees that are applicable to developments with distinctions between elderly/disabled and general occupancy developments.

7001 ASSISTANCE ANIMALS

7001.1 DCHA will use HUD's Division of Fair Housing and Equal Opportunity (FHEO) published Notices as guidance in its assistance animals policy.

7001.2 There are two (2) types of assistance animals:

(a) Service animals; and

(b) Support animals, which are other animals that do work, perform tasks, provide assistance, or provide therapeutic emotional support for individuals with disabilities.

7001.3 Assistance animals, including service and support animals, are not pets and thus are not subject to DCHA's pet policies described in §§ 7002-7003.

7001.4 Under the Americans with Disabilities Act (ADA), a "service animal" means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

7001.5 The work or tasks performed by a service animal must be directly related to the individual's disability.

7001.6 [RESERVED]

7001.7 A service animal must be permitted in all areas of the facility where members of the public are allowed.

7001.8 If the animal does not qualify as a service animal, DCHA will next determine whether the animal would qualify as a support animal (a type of assistance animal).

7001.9 If the individual is requesting to keep a unique animal not commonly kept in households, then the requestor has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal. Such individuals are encouraged to submit documentation from a health care professional.

7001.10 A person with a disability is not automatically entitled to have an assistance animal.

Reasonable accommodation requires that there is a relationship between the person's disability and their need for the animal.

7001.11 [RESERVED]

7001.12 [RESERVED]

7001.13 [RESERVED]

7001.14 DCHA may refuse a reasonable accommodation for an assistance animal if the specific animal poses a direct threat that cannot be eliminated or reduced to an acceptable level through the actions the individual takes to maintain or control the animal (e.g., keeping the animal in a security enclosure).

7001.15 DCHA will use the decision-making process in Notice FHEO 2020-01 or subsequent applicable notice with respect to the reasonable accommodation policies in Chapter 61 for all requests for exceptions or modifications to DCHA's rules, policies, practices, and procedures so that persons with disabilities may have assistance animals in the housing where they reside.

7001.16 For an animal to be excluded from the pet policy and be considered a service animal, it must be a trained dog, and there must be a person with disabilities in the household who requires the dog's services.

7001.17 For an animal to be excluded from the pet policy and be considered a support animal, there must be:

(a) a person with disabilities in the household;

(b) a disability-related need for the animal; and

(c) the family must request and DCHA approve a reasonable accommodation in accordance with the criteria outlined in Notice FHEO 2020-01 (or subsequent applicable notice) and the policies contained in Chapter 61.

7002 CARE OF ASSISTANCE ANIMALS AND PETS

7002.1 DCHA residents shall have the following responsibilities with respect to their assistance animals and pets, as applicable:

(a) Residents are responsible for feeding, maintaining, providing veterinary care, and controlling their assistance animals and pets. A resident may do this on their own or with the assistance of family, friends, volunteers, or service providers;

(b) Residents must care for assistance animals and pets in a manner that

complies with state and local laws, including anti-cruelty laws;

(c) Residents must ensure that assistance animals and pets do not pose a direct threat to the health or safety of others, or cause substantial physical damage to the development, dwelling unit, or property of other residents;

(d) When a resident's care or handling of an assistance animal and/or pet violates these policies, DCHA will consider whether the violation could be reduced or eliminated by a reasonable accommodation. If the DCHA determines that no such accommodation can be made, DCHA may withdraw the approval of a particular assistance animal or pet;

(e) Residents shall be responsible for paying for services related to any assistance animal or pet-related rodent or insect infestation, as well as any assistance animal or pet-related property damage, in their unit. The resident shall keep the apartment in a sanitary condition at all times and is responsible for keeping the surrounding areas free of animal odors, waste, and litter;

(f) The resident shall store all assistance animal or pet food in sealed containers; and

(g) The resident shall be responsible for ensuring the rights of other residents to peace and quiet enjoyment, health, and safety are not infringed upon or diminished by an assistance animal's or pet's noise, odors, waste or other nuisance.

7003 PET POLICIES FOR ALL DEVELOPMENTS

7003.1 Section 7003 contains the following pet policies that apply to all developments:

(a) Residents may obtain approval from DCHA for up to two (2) pets;

(b) The pet(s) must have been registered by a licensed veterinarian or district/local authority;

(c) The registration must be renewed annually, and the resident must pay a pet deposit;

(d) The pet(s) must meet the requirements in the updated house rules.

(e) Residents who have maintained pets prior to January 2024 will be allowed to keep up to two (2) pets as long as

(1) The animal has been registered by a licensed veterinarian or district/local authority;

(2) The animal registration must be renewed annually;

(3) The resident pays a pet deposit; and

(4) The resident meets the updated house rules.

(f) Pets must be registered with DCHA before they are brought onto the premises;

(g) Registration includes documentation signed by a licensed veterinarian or state/local authority that the pet has received all inoculations required by state or local law, and that the pet has no communicable disease(s) and is pest-free and, for dogs, documentations that the dog has been licensed with the District Department of Health in accordance with § 8-1804;

(h) The registration must be renewed annually and shall be coordinated with the annual reexamination date; and

(i) Pets shall not be approved to reside in a unit until completion of the registration requirements.

7003.2 DCHA shall refuse to register a pet if:

(a) The pet is not "a common household pet" as defined in § 7002.9(a) below;

(b) Keeping the pet would violate any pet restrictions listed in this Chapter;

(c) The pet owner fails to provide complete pet registration information, or fails to update the registration annually; and

(d) DCHA reasonably determines that the pet owner is unable to keep the pet in compliance with the house rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

7003.3 If DCHA refuses to approve a pet, a written notification shall be sent to the pet owner within ten (10) business days of DCHA's decision.

7003.4 The notice in § 7003.3 shall state the reason for refusing to register the pet and informs the family of their right to appeal the decision in accordance with DCHA's public housing grievance policy in accordance with Chapter 79.

7003.5 Residents who have been approved to have a pet must enter into a pet agreement with DCHA, or the approval of the pet shall be withdrawn.

7003.6 The pet agreement is the resident's certification that they have received a copy of DCHA's pet policy or applicable house rules, that they have read the policies or rules, understand them, and agree to comply with them.

7003.7 The resident further certifies by signing the pet agreement that they understand that noncompliance with DCHA's pet policy and applicable house rules may result in the withdrawal of DCHA approval of the pet or termination of tenancy.

7003.8 DCHA will not require pet owners to obtain or carry liability insurance.

7003.9 DCHA's definitions related to common household pets are:

(a) "Common household pet" means a domesticated animal, such as a dog, cat, bird, or fish that is traditionally recognized as a companion animal and is kept in the home for pleasure rather than commercial purposes.

(b) "Animals" that are not considered common household pets include but is not limited to the following:

(1) Reptiles;

(2) Rodents;

(3) Insects;

(4) Arachnids;

(5) Wild animals or feral animals;

(6) Pot-bellied pigs; or

(7) Animals used for commercial breeding.

(c) The following animals are not permitted as pets:

(1) Any animal whose adult weight exceeds twenty-five (25) pounds;

(2) Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites or lacerations; and

(3) Any animal not permitted under District law or code.

7003.10 The following are limitations on the amount of pets:

(a) Subject to the conditions set forth in § 7002.1(d), residents may own a maximum of two (2) pets;

(b) In the case of fish, residents may keep no more than can be maintained in a safe and healthy manner in a tank holding up to twenty (20) gallons. A tank/aquarium counts as one (1) pet.

7003.11 The following are resident responsibilities regarding the registration of a pet:

(a) Dogs and cats must be spayed or neutered at the time of registration or, in the case of underage animals, within thirty (30) days of the pet reaching six (6) months of age. Exceptions may be made upon veterinary certification that subjecting this particular pet to the procedure would be temporarily or permanently medically unsafe or unnecessary;

(b) Pets must be licensed in accordance with District law. Residents must provide proof of licensing at the time of registration and annually, in conjunction with the resident's reexamination; and

(c) Execute and abide by the pet policy lease addendum providing for the proper care and maintenance of the animal and the unit in accordance with DCHA rules and policies. Failure to abide by the pet policy will be considered a violation of the lease.

7003.12 A resident has the following duties regarding pet care and maintenance:

(a) Pet owners must maintain pets responsibly, in accordance with DCHA policies, and in compliance with applicable District public health, animal control, and animal cruelty laws and regulations, including vaccination (§ 8-1803), licenses and fees (§ 8-1804), and prohibited conduct (§ 8-1808);

(b) Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash or carried. They must be under the control of the resident or other responsible individual at all times;

(c) Pets other than dogs or cats must be kept in a cage or carrier when outside of the unit;

(d) Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building; and

(e) Pet owners are not permitted to exercise pets or permit pets to deposit waste on project premises outside of the areas designated for such purposes.

7003.13 DCHA may designate buildings, floors of buildings, or sections of buildings as no-pet areas where pets generally may not be permitted. Pet rules may also designate

buildings, floors of building, or sections of building for residency by pet-owning tenants.

7003.14 DCHA may direct initial tenant moves as may be necessary to establish pet and no-pet areas. DCHA may not refuse to admit, or delay admission of, an applicant on the grounds that the applicant's admission would violate a pet or no-pet area. DCHA may adjust the pet and no-pet areas or may direct such additional moves as may be necessary to accommodate such applicants for tenancy or to meet the changing needs of the existing tenants.

7003.15 [RESERVED]

7003.16 A resident has the following duties to mitigate waste and smells:

(a) The pet owner shall be responsible for the removal of waste from the exercise area by placing it in a sealed plastic bag and disposing of it in a container provided by DCHA;

(b) The pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times; and

(c) Litter box requirements:

(1) Pet owners must promptly dispose of waste from litter boxes and must maintain litter boxes in a sanitary manner;

(2) Litter shall not be disposed of by being flushed through a toilet; and

(3) Litter boxes shall be kept inside the resident's dwelling unit.

7003.17 The following are restrictions on pet modifications to the unit:

(a) Pet owners shall not alter their unit, patio, premises, or common areas to create an enclosure for any animal; and

(b) Installation of pet doors is prohibited.

7003.18 Pet owners must agree to control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

7003.19 Other pet requirements include:

(a) Each pet owner shall be responsible for adequate care, nutrition, exercise, and medical attention for their pet.

(b) Each pet owner shall be responsible for appropriately training and caring for their pet to ensure that the pet is not a nuisance or danger to other residents and does not damage DCHA property.

(c) No animals may be tethered or chained inside or outside the dwelling unit at any time.

(d) The pet owner is required to designate a responsible party for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

(e) The resident who cares for another resident's pet must notify DCHA and sign a statement that they agree to abide by all of the pet rules.

7003.20 Except for emergencies, management shall not enter the dwelling unit for performance of repairs or inspections where a pet resides unless accompanied for the entire duration of the inspection or repair by the pet owner or responsible person designated by the pet owner.

7003.21 When management is inside a unit for repairs or inspections, the pet must be held under physical restraint by the pet owner or responsible person until management has completed its tasks.

7003.22 Any delays or interruptions suffered by management in the inspection, maintenance, and upkeep of the premises due to the presence of a pet may be cause for lease termination.

7003.23 For pets that are temporarily on the premises:

(a) Pets that are not owned by a tenant are not allowed on the premises, except for service animals defined in 7001.2 necessary for a guest.

(b) Residents are prohibited from feeding or harboring stray animals.

(c) Section 7003.23 does not apply to visiting pet programs sponsored by a humane society or other non-profit organizations and approved by DCHA.

7003.24 The following applies to pet complaints:

(a) All complaints of cruelty and all dog bites are referred to animal control or an applicable agency for investigation and enforcement.

(b) If a determination is made on objective facts supported by written statements, that a resident/pet owner has violated the pet rules, written notice shall be served on the resident/pet owner.

(c) The notice contains a brief statement of the factual basis for the determination and the pet rule(s) that were violated. The notice also states:

(1) That the pet owner has ten (10) business days from the effective date of the service of notice to correct the violation or make written request for a meeting to discuss the violation;

(2) That the pet owner is entitled to be accompanied by another person of their choice at the meeting; and

(3) That the pet owner's failure to correct the violation, request a meeting, or appear at a requested meeting may result in initiation of procedures to remove the pet, or to terminate the pet owner's tenancy.

(d) If the pet owner and DCHA are unable to resolve the violation at the meeting or the pet owner fails to correct the violation in the time period allotted by DCHA, DCHA may serve notice to remove the pet.

(e) The notice shall contain:

(1) A brief statement of the factual basis for DCHA's determination of the pet rule that has been violated;

(2) The requirement that the resident/pet owner must remove the pet within thirty (30) calendar days of the notice; and

(3) A statement that failure to remove the pet may result in the initiation of termination of tenancy procedures.

7003.25 In the case of the death or incapacity of the pet owner:

(a) If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation shall be reported to the responsible party designated by the pet owner; and

(b) If the responsible party is unwilling or unable to care for the pet, or if DCHA after reasonable efforts cannot contact the responsible party, DCHA may contact the appropriate District agency and request the removal of the pet.

7003.26 DCHA may initiate procedures for termination of tenancy based on a pet rule

violation if:

(a) The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and

(b) The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

7003.27 DCHA's response to problem pets includes the following:

(a) DCHA takes all necessary steps to ensure that pets that become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are immediately removed from the premises by referring the situation to the appropriate District entity authorized to remove such animals;

(b) If it is necessary for DCHA to place the pet in a shelter facility, the cost is the responsibility of the pet owner; and

(c) If the pet is removed as a result of any aggressive act on the part of the pet, the pet is not allowed back on the premises.

7004 PET DEPOSITS AND FEES

7004.1 [RESERVED].

7004.2 DCHA requires a resident to pay a pet deposit for each pet which will be placed in an account of the type required under applicable District law for pet deposits, or if there are no such requirements, for rental security deposits, if applicable. DCHA will comply with such laws as to retention of the deposit, interest, and return of the deposit to the resident, and any other applicable requirements.

7004.3 The following apply to Pet Deposits:

(a) Pet owners are required to pay a pet deposit in addition to any other required deposits;

(b) The amount of the deposit is the lower of fifteen percent (15%) of the unit's flat rent (regardless of whether the resident is paying income-based or flat rent) or one hundred dollars ($100) in addition to any other required deposits;

(c) The pet deposit must be paid in full before the pet is brought on the premises; and

(d) The pet deposit is not part of rent payable by the resident.

7004.4 [RESERVED]

7004.5 The following is DCHA's deposit return policy:

(a) DCHA shall refund the pet deposit to the resident, less the costs of any damages caused by the pet to the dwelling unit, within forty-five (45) days of move-out or removal of the pet from the unit in accordance with Title 14 DCMR, § 309.1;

(b) The resident is billed for any amount that exceeds the pet deposit; and

(c) DCHA shall provide the resident with a written list of any charges against the pet deposit within forty-five (45) days of the move-out inspection. If the resident disagrees with the amount charged to the pet deposit, DCHA shall provide a meeting to discuss the charges.

7004.6 [RESERVED]

7004.7 The following is the DCHA policy on charges to the resident as a result of damages caused by pets:

(a) All reasonable expenses incurred by DCHA as a result of damages directly attributable to the presence of the pet in the unit or development is the responsibility of the resident, including:

(1) The cost of repairs and replacements to the resident's dwelling unit;

(2) Fumigation of the dwelling unit; and

(3) Repairs to common areas of the project.

(b) The expense of flea elimination shall also be the responsibility of the resident;

(c) If the resident is in occupancy when such costs occur, the resident shall be billed for such costs in accordance with the policies in §§ 6701.29- 6701.33. Pet deposits are not applied to the costs of pet-related damages during occupancy; and

(d) Charges for pet-related damage are not part of rent payable by the resident.

7004.8 DCHA's Policy on Rule Violation Fines:

(a) A separate pet waste removal charge of ten dollars ($10.00) per occurrence is assessed against pet owners who fail to remove pet waste in accordance with

this policy;

(b) Notices of pet waste removal charges will be in accordance with requirements regarding notices of adverse action;

(c) Pet waste removal charges are due and payable fourteen (14) calendar days after billing; and

(d) Charges for pet waste removal are not part of rent payable by the resident.

Chapter 73, [RESERVED], of Title 14 DCMR, HOUSING, is renamed and replaced in its entirety to read as follows:

CHAPTER 73 COMMUNITY SERVICE

7300 INTRODUCTION

7300.1 [RESERVED]

7300.2 This section 7300 describes DCHA policies related to community service programs in two (2) parts:

(a) Community Service Requirements. Section 7301 describes who is subject to the community service requirement, who is exempt, and DCHA's definition of economic self-sufficiency; and

(b) DCHA Implementation of Community Service. Section 7302 provides DCHA policy regarding the community service and implementation and program design.

7301 COMMUNITY SERVICE REQUIREMENT

7301.1 Community service is the performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community.

7301.2 Community service is not employment and may not include political activities.

7301.3 In administering community service requirements, DCHA will comply with all District of Columbia and federal nondiscrimination and equal opportunity requirements.

7301.4 Each adult DCHA resident, who is not exempt, must:

(a) Contribute eight (8) hours per month of community service;

(b) Participate in an economic self-sufficiency program for eight (8) hours per month; or

(c) Perform eight (8) hours per month of combined activities (community service and economic self-sufficiency program).

7301.5 The required community service or self-sufficiency activity may be completed eight (8) hours each month or may be aggregated across a year. Any blocking of hours is acceptable as long as ninety-six (96) hours is completed by each annual certification of compliance.

7301.6 An "exempt individual" is an adult who:

(a) Is age sixty-two (62) years or older;

(b) Is blind or disabled (as defined under § 216(i)(l) or § 1614 of the Social Security Act), and who certifies that because of this disability the person is unable to comply with the service provisions;

(c) Is a primary caretaker of a person who is blind or disabled;

(d) Is engaged in work activities;

(e) Is able to meet requirements of being exempted under a state program funded under Part A of Title IV of the Social Security Act, or under any other welfare program of the state in which DCHA is located, including a state-administered welfare-to-work program (i.e., the individual is receiving Temporary Assistance for Needy Families, or TANF). This exemption applies to anyone whose characteristics or family situation meet the welfare agency exemption criteria and can be verified; or

(f) Is a member of a family receiving assistance, benefits, or services under a state program funded under Part A of Title IV of the Social Security Act, or under any other welfare program of the state in which DCHA is located, including a state-administered welfare-to-work program (such as TANF) and the Supplemental Nutrition Assistance Program (SNAP), and has not been found by the state or other administering entity to be in noncompliance with such program.

7301.7 DCHA considers eight (8) hours per week as the minimum number of hours needed to qualify for a work activity exemption.

7301.8 [RESERVED]

7301.9 [RESERVED]

7301.10 Eligible community service activities include, but are not limited to, work at:

(a) Local public or nonprofit institutions such as schools, head start programs, before or after school programs, childcare centers, hospitals, clinics, hospices, nursing homes, recreation centers, senior centers, adult day care programs, homeless shelters, feeding programs, food banks (distributing either donated or commodity foods), or clothes closets (distributing donated clothing);

(b) Nonprofit organizations serving DCHA residents or their children such as: Boy or Girl Scouts, Boys or Girls Club, 4-H clubs, Police Assistance League, organized children's recreation, mentoring or education programs, Big Brothers or Big Sisters, garden centers, community clean-up programs, beautification programs;

(c) Programs funded under the Older Americans Act, such as Green Thumb, Service Corps of Retired Executives, senior meals programs, senior centers, Meals on Wheels;

(d) Public or nonprofit organizations dedicated to seniors, youth, children, residents, citizens, special-needs populations or with missions to enhance the environment, historic resources, cultural identities, neighborhoods, or performing arts;

(e) DCHA housing to improve grounds or provide gardens (so long as such work does not alter DCHA's insurance coverage); or work through resident organizations to help other residents with problems, including serving on the Resident Advisory Board; and

(f) Care for the children of other residents so a parent may volunteer.

7301.11 Community services at profit-motivated entities, volunteer work performed at homes or offices of general private citizens, and court-ordered or probation-based work are not considered eligible community service activities.

7301.12 For purposes of satisfying the community service requirement, an "economic self-sufficiency program" is defined as any program designed to encourage, assist, train, or facilitate economic independence of assisted families or to provide work for such families.

7301.13 Eligible self-sufficiency activities include, but are not limited to:

(a) Job readiness or job training;

(b) Training programs through local one-stop career centers, workforce

investment boards (local entities administered through the United States Department of Labor), or other training providers;

(c) Employment counseling, work placement, or basic skills training;

(d) Education, including higher education (junior college or college), GED classes, or reading, financial, or computer literacy classes;

(e) Apprenticeships (formal or informal);

(f) English proficiency or English as a second language classes;

(g) Budgeting and credit counseling; and

(h) Any other program necessary to ready a participant to work (such as substance abuse or mental health counseling).

7301.14 As it relates to an exemption from the community service requirement, "work activities" means:

(a) Unsubsidized employment;

(b) Subsidized private sector employment;

(c) Subsidized public sector employment;

(d) Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;

(e) On-the-job training;

(f) Job search and job readiness assistance;

(g) Community service programs;

(h) Vocational educational training (not to exceed twelve (12) months with respect to any individual);

(i) Job skills training directly related to employment;

(j) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency; and

(k) Satisfactory attendance at secondary school or in a course of study leading

to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.

7301.15 At lease signing and during subsequent regular reexaminations, DCHA will give each family a written description of the community service requirement, the process for claiming status as an exempt person, and the process for DCHA verification of exempt status.

7301.16 At lease signing and during subsequent regular reexaminations, DCHA will notify the family of its determination identifying the family members who are subject to the service requirement, and the family members who are exempt.

7301.17 The family must sign a certification, such as Attachment A of Notice PIH 2015-12, that they have received and read the policy and understand that if they are not exempt, failure to comply with the requirement results in nonrenewal of their lease.

7301.18 The family must also sign a certification at regular reexamination, such as Attachment B of Notice PIH 2015-12, certifying that they understand the requirement.

7301.19 DCHA shall provide the family with a copy of the Community Service Policy at lease-up, lease renewal, when a family member is determined to be subject to the community service requirement during the lease term, and at any time upon the family's request.

7301.20 The Community Service policy shall notify the family that self-certification forms are subject to review by DCHA.

7301.21 At the time of reexamination, DCHA shall notify the family in writing of the family members who are subject to the community service requirement and the family members who are exempt.

7301.22 If the family includes nonexempt individuals, the notice in 7301.21 shall include a list of agencies in the community that provide volunteer and/or training opportunities, as well as a documentation form on which they may record the activities they perform, and the number of hours contributed. The form also has a place for a signature by an appropriate official, who certifies to the activities and hours completed.

7301.23 DCHA will review and verify family compliance with service requirements annually at least thirty (30) days before the end of the twelve (12) month lease term.

7301.24 Where the lease term does not coincide with the effective date of the reexamination, DCHA shall change the effective date of the reexamination to coincide with the lease term.

7301.25 In making the change in § 7301.24, DCHA ensures that the examination is conducted within twenty-four (24) months of the last reexamination.

7301.26 An exempt individual is excused from the community service requirement.

7301.27 At least sixty (60) days prior to regular reexamination, DCHA shall review and verify the exemption status of all adult family members.

7301.28 The verification in § 7301.27 is only done on an annual basis unless the family reports a change or DCHA has reason to believe that an individual's exemption status has changed.

7301.29 For individuals who are exempt because they are sixty-two (62) years of age and older, verification of exemption status is done only at the initial examination.

7301.30 Upon completion of the verification process, DCHA notifies the family of its determination.

7301.31 DCHA will review resident family compliance with service requirements annually at least thirty (30) days before the end of the twelve (12) month lease term. As part of this review, DCHA must verify that any family member that is not exempt from the community service requirement has met their service obligation.

7301.32 Approximately sixty (60) days prior to the end of the lease term, DCHA provides written notice requiring the family to submit documentation that all subject family members have complied with the service requirement.

7301.33 The family has ten (10) business days to submit DCHA required documentation form(s) required under § 7301.32.

7301.34 If the family fails to submit the required documentation within the required timeframe, or DCHA approved extension, the subject family members are considered noncompliant with community service requirements, and notices of noncompliance are issued.

7301.35 If an exempt individual becomes nonexempt during the twelve (12) month lease term, it is the family's responsibility to report this change to DCHA.

7301.36 Within ten (10) business days of a family reporting the change in § 7301.35, or DCHA determining such a change is necessary, DCHA provides written notice of the effective date of the requirement, a list of agencies in the community that provide volunteer or training opportunities, as well as a documentation form on which the family member may record the activities performed and number of hours contributed.

7301.37 The effective date of the community service requirement is the first of the month

following thirty (30) day notice.

7301.38 When an adult family member becomes subject to community service, they must perform eight (8) hours of community service for the months they are subject to the requirement before the end of the lease term (anniversary date).

7301.39 If a nonexempt person becomes exempt during the twelve (12) month lease term, it is the family's responsibility to report this change to DCHA. Any claim of exemption is verified by DCHA.

7301.40 Within ten (10) business days of a family reporting such a change, or DCHA determining such a change is necessary, DCHA shall provide the family written notice that the family member is no longer subject to the community service requirement, if DCHA is able to verify the exemption

7301.41 The exemption in § 7301.40 is effective immediately.

7302 DOCUMENTATION AND VERIFICATION

7302.1 DCHA will retain reasonable documentation of service requirement performance or exemption in participant files.

7302.2 All family members who claim they are exempt from the community service requirement are required to sign a community service exemption certification form. DCHA provides a completed copy to the family and keeps a copy in the tenant file.

7302.3 DCHA verifies that an individual is exempt from the community service requirement by following the verification hierarchy and documentation requirements in Chapter 66.

7302.4 DCHA will make and notify the family in writing the final determination whether or not to grant an exemption from the community service requirement.

7302.5 If a resident does not agree with DCHA's determination on the granting of an exemption, the resident can dispute the decision through DCHA's grievance procedures.

7302.6 At each regularly scheduled reexamination, each nonexempt family member presents a signed standardized certification form developed by DCHA of community service and self-sufficiency activities performed over the last twelve (12) months.

7302.7 If qualifying community service activities are administered by an organization other than DCHA, a family member who is required to fulfill a service requirement must submit a certification signed by the organization that has administered the qualifying activity that the family member has performed such qualifying activities.

Each family member who is required to fulfill the service requirement must submit such a certification.

7302.8 DCHA will not accept self-certification of qualifying community service activities.

7302.9 [RESERVED]

7302.10 [RESERVED]

7302.11 Everyone who is subject to the community service requirement is required to record their community service or self-sufficiency activities and the number of hours contributed on the required form. The certification form also includes places for signatures and phone numbers of supervisors, instructors, and counselors certifying to the number of hours contributed;

7302.12 Families are required to submit the documentation to DCHA at least annually or upon further request by DCHA. Documents may be submitted by mail, email, or in person.

7302.13 If DCHA has reasonable cause to believe that the certification provided by the family is false or fraudulent, DCHA has the right to require additional third-party verification.

7302.14 The lease specifies that it is renewed automatically for all purposes unless the family fails to comply with the community service requirement.

7302.15 Violation of the service requirement is grounds for nonrenewal of the lease at the end of the twelve (12) month lease term, but not for termination of tenancy during the course of the twelve (12) month lease term.

7302.16 DCHA may not evict a family due to Community Service and Self-Sufficiency Requirement (CSSR) noncompliance. However, if DCHA finds a tenant is noncompliant with CSSR, DCHA will provide written notification to the tenant of the noncompliance which must include:

(a) A brief description of the finding of non-compliance with CSSR;

(b) A statement that DCHA shall not renew the lease at the end of the current twelve (12) month lease term unless the tenant enters into a written work-out agreement with DCHA or the family provides written assurance that is satisfactory to DCHA explaining that the tenant or other noncompliant resident no longer resides in the unit; and

(c) The written work-out agreement must include the means through which a noncompliant family member complies with the CSSR requirement.

7302.17 The notice will also state that the tenant may request a grievance hearing on DCHA's determination, in accordance with DCHA's grievance procedures, and that the tenant may exercise any available judicial remedy to seek timely redress for DCHA's nonrenewal of the lease because of DCHA's determination.

7302.18 The notice of noncompliance shall be sent at least forty-five (45) days prior to the end of the lease term.

7302.19 The family has ten (10) business days from the date of the notice of noncompliance to enter into a written work-out agreement to cure the noncompliance over the twelve (12) month term of the new lease, provide documentation that the noncompliant resident no longer resides in the unit, or to request a grievance hearing.

7302.20 If the family reports that a noncompliant family member is no longer residing in the unit, the family must provide documentation that the family member has vacated the unit before DCHA agrees to continued occupancy of the family. Generally, this must be third-party documentation (such as a copy of the removed household member's new lease or utility bill in their name at a new address). However, DCHA may accept a self-certification from the head of household on a case-by-case basis when it is clear that third-party verification is unavailable.

7302.21 Documentation in § 7302.20 must consist of a certification signed by the head of household as well as evidence of the current address of the family member that previously resided with them.

7302.22 If the family does not take either corrective action required by the notice of noncompliance within the required ten (10) business day timeframe or request a grievance hearing, DCHA shall terminate tenancy in accordance with the policies in Chapter 79.

7302.23 Should a family member refuse to sign a written work-out agreement or fail to comply with the terms of the work-out agreement, DCHA will initiate termination of tenancy proceedings at the end of the current twelve (12) month lease for failure to comply with lease requirements.

7302.24 When initiating termination of tenancy proceedings, DCHA shall provide the following procedural safeguards:

(a) Adequate notice to the tenant of the grounds for terminating the tenancy and for non-renewal of the lease;

(b) Right of the tenant to be represented by counsel;

(c) Opportunity for the tenant to refute the evidence presented by DCHA, including the right to confront and cross-examine witnesses and present any

affirmative legal or equitable defense which the tenant may have; and

(d) A decision on the merits.

7302.25 Notices of continued noncompliance are sent at least thirty (30) days prior to the end of the lease term and also serves as the family's termination notice.

7302.26 The notice in § 7302.25 shall meet the requirements for termination notices described in Chapter 79.

7302.27 The family has ten (10) business days from the date of the notice of noncompliance to provide documentation that the noncompliant resident no longer resides in the unit or to request a grievance hearing.

7302.28 If the family reports that a noncompliant family member is no longer residing in the unit, the family must provide documentation that the family member has vacated the unit before DCHA agrees to continued occupancy of the family.

7302.29 The documentation in § 7302.28 must consist of a certification signed by the head of household as well as evidence of the current address of the noncompliant family member that previously resided with them.

7302.30 If the family does not provide such documentation within the required ten (10) business day timeframe or request a grievance hearing, the family's lease and tenancy automatically terminates at the end of the current lease term without further notice.

7303 IMPLEMENTATION OF COMMUNITY SERVICE

7303.1 DCHA will not substitute any community service or self-sufficiency activities performed by residents for work ordinarily performed by DCHA employees or replace a job at any location where residents perform activities to satisfy the service requirement.

7303.2 DCHA shall notify its insurance company if residents perform community service at DCHA. In addition, DCHA ensures that the conditions under which the work is to be performed are not hazardous.

7303.3 If a disabled resident certifies they can perform community service, DCHA shall ensure that requests for reasonable accommodation are handled in accordance with the policies in Chapter 61.

7303.4 DCHA may administer qualifying community service or economic self- sufficiency activities directly, or may make community service activities available through a

contractor, or through partnerships with qualified organizations, including resident organizations, and community agencies or institutions.

7303.5 DCHA's goal is to design a service program that gives resident viable opportunities to become involved in the community and to gain competencies and skills.

7303.6 DCHA will work with resident organizations and community organizations to design, implement, assess and recalibrate its community service program.

7303.7 DCHA will make every effort to identify volunteer opportunities throughout the community, especially those in proximity to public housing developments.

7303.8 To the greatest extent possible, DCHA will provide names and contacts at agencies that can provide opportunities for residents, including persons with disabilities, to fulfill their community service obligations.

7303.9 Any written agreements or partnerships with contractors or qualified organizations, including resident organizations, are described in this Title 14;

7303.10 DCHA provides in-house opportunities for volunteer work or self- sufficiency programs when possible.

7303.11 When DCHA has a Resident Opportunities and Self-Sufficiency (ROSS) program, a ROSS Service Coordinator, or a Family Self-Sufficiency (FSS) program, DCHA will coordinate Individual Training and Service Plans (ITSPs) with the community service requirement.

7303.12 Regular meetings with DCHA coordinators satisfy community service activities and DCHA coordinators verify community service hours within individual monthly logs.

CHAPTER 74, REASONABLE ACCOMODATION POLICIES AND PROCEDURES, of Title 14 DCMR, HOUSING, is amended as follows:

Section 7405 (OCCUPANCY OF ACCESSIBLE UNIT) is amended to read as follows:

7405 OCCUPANCY OF ACCESSIBLE UNIT

7405.1 DCHA has units designated for persons with mobility, sight and hearing impairments referred to as accessible units.

7405.2 DCHA will offer these accessible units to families in the following order:

(a) Current occupant of another public housing unit who has a disability that requires the special features of that unit;

(b) An eligible qualified applicant on the public housing waiting list having a disability that requires the special features of the unit;

(c) If there are no eligible qualified applicants on the public housing waiting list, a non-disabled applicant will be offered the unit; and

(d) DCHA will require that the non-disabled applicant agree to sign a lease that requires the applicant to move to an available non-accessible unit when either a current resident or applicant needs the special features of the unit.

7405.3 A Reasonable Accommodation Waiting List will be created and maintained by date and time of request pursuant to the order of families created by § 7405.2.

7405.4 The first qualified current resident in sequence on the list of residents seeking reasonable accommodations will be offered a unit of the appropriate size with the special features required. If more than one unit of the appropriate size and type is available, the first unit offered will be the first unit that is ready for occupancy.

7405.5 Upon inspection of the offered unit, the resident or applicant will be required to sign a Letter of Acceptance/Rejection of an Accessible Unit.

7405.6 DCHA will maintain a record of units offered, including location, date and circumstances of each offer, each acceptance or rejection and the reason for the rejection.

7405.7 A current resident will receive two (2) offers of accessible units before his or her name is removed from the Reasonable Accommodation Waiting List. However, DCHA will provide additional unit offers if the resident has refused the unit offer for good cause, as described in 7704.3.

7405.8 An applicant will receive two (2) offers of accessible units before his/her name is removed from the Public Housing Waiting List. However, DCHA will provide additional unit offers if the applicant has refused the unit offer for good cause, as described in §§ 6402.9 – 6402.12.

Chapter 77, [RESERVED], of Title 14 DCMR, HOUSING, is renamed and replaced in its entirety to read as follows:

CHAPTER 77 TRANSFER POLICY

7700 INTRODUCTION

7700.1 This § 7700 explains DCHA's transfer policy, based on HUD regulations, HUD guidance, and DCHA policy decisions.

7700.2 This § 7700 describes DCHA policies related to transfers in four (4) parts:

(a) Section 7701, Emergency Transfers, describes emergency transfers, emergency transfer procedures, and payment of transfer costs;

(b) Section 7702, DCHA Required Transfers, describes types of transfers that may be required by DCHA, notice requirements, and payment of transfer costs;

(c) Section 7703, Transfers Requested by Residents, describes types of transfers that may be requested by residents, eligibility requirements, security deposits, payment of transfer costs, and handling of transfer requests; and

(d) Section 7704, Transfer Processing, describes creating a waiting list, prioritizing transfer requests, the unit offer policy, examples of good cause, deconcentration, transferring to another development, and reexamination.

7701 EMERGENCY TRANSFERS

7701.1 Emergency transfers require immediate action by DCHA.

7701.2 In the case of a genuine emergency, it may be unlikely that DCHA has the time or resources to immediately transfer a tenant. Due to the immediate need to vacate the unit, placing the tenant on a transfer waiting list would not be appropriate. Under such circumstances, if an appropriate unit is not immediately available, DCHA may find alternate accommodations for the tenant until the emergency passes, or a permanent solution, i.e., return to the unit or transfer to another unit, is possible.

7701.3 Consistent with the regulations at 24 CFR § 966.4(h), if the dwelling unit is damaged to the extent that conditions are created which are hazardous to life, health, or safety of the occupants, DCHA must offer standard alternative accommodations, if available, where necessary repairs cannot be made within a reasonable time.

7701.4 [RESERVED]

7701.5 The following are considered emergency circumstances warranting an immediate transfer of the tenant or family:

(a) Life-threatening deficiencies (as defined in HUD Notice PIH 2024-26 or successor notice) in the resident's unit, building or at the site that cannot be repaired or abated within twenty-four (24) hours. Examples of such unit or building conditions would include: a natural gas, propane or oil leak; and utilities, such as water or electricity are not in service;

(b) If repairing or abating the life-threatening deficiency within twenty-four

(24) hours would not be cost-effective for DCHA, DCHA may choose to process an emergency transfer for the family. Examples would include fire, flooding, or inoperable or severely damaged heating or plumbing systems;

(c) If the unit or building does not meet the requirements for maintaining heat or air conditioning defined in DC municipal code, DCHA will initiate an emergency transfer under this category;

(d) A verified incident of domestic violence, dating violence, sexual assault, or stalking, as defined under the VAWA Reauthorization of 2022. To request the emergency transfer, the requestor must submit an emergency transfer request form (HUD-5383) although, DCHA may waive this requirement in order to expedite the transfer process. DCHA allows a tenant to make an internal emergency transfer under the Violence Against Women Act (VAWA) when a safe unit is immediately available. DCHA defines "immediately available" as a vacant unit, that is ready for move-in within a reasonable period of time, not to exceed thirty (30) business days. If an internal transfer to a safe unit is not immediately available, DCHA shall assist the resident in seeking an external emergency transfer either within or outside DCHA's programs, consistent with DCHA's Emergency Transfer Plan.

(e) Consistent with HUD PIH Notice 2021-35 (or applicable successor notice), DCHA intends to take the unit off-line for maintenance conditions, including those conditions that DCHA would seek approval from HUD to change the unit status to any of the following: undergoing modernization, court litigation, natural disaster, or casualty loss.

7701.6 [RESERVED].

7701.7 If the emergency transfer is necessary because of conditions defined at 7701.5(a), and an appropriate unit is not immediately available, DCHA shall provide temporary accommodations to the tenant by arranging for temporary lodging at a hotel or similar location.

7701.8 The family is entitled to alternative accommodations even if the tenant, household member, guest, or other covered person is responsible for the damage that caused the hazard or if a family is in the process of being evicted.

7701.9 Emergency transfers, as defined in § 7701.5, are mandatory for the tenant.

7701.10 DCHA will pay or reimburse the reasonable costs of temporarily accommodating the tenant and of long-term transfers, if any, for emergency transfers defined in § 7701.5;

7701.11 The reasonable cost of transfers includes the cost of packing, moving, and

unloading.

7701.12 DCHA will establish a moving allowance based on the typical costs in the community of packing, moving, and unloading.

7701.13 DCHA will reimburse the family for eligible out-of-pocket moving expenses up to DCHA's established moving allowance.

7702 DCHA-REQUIRED TRANSFERS

7702.1 The following are types of DCHA-required transfers:

(a) DCHA may require a resident to transfer to make an accessible unit available to a disabled family;

(b) DCHA may transfer a resident who is over housed or underhoused based on the occupancy standards defined at § 6401;

(c) DCHA may transfer residents in order to demolish, revitalize, or renovate the unit;

(d) DCHA may transfer residents as a result of a judicial proceeding;

(e) DCHA may transfer residents to alleviate a verified threat of physical harm or criminal activity. Such circumstances may, at DCHA's discretion, include an assessment by law enforcement indicating that a family member is the actual or potential victim of a criminal attack, retaliation for testimony, or a hate crime. DCHA will verify such threats in coordination with DCHA's Office of Public Safety;

(f) DCHA may transfer residents to alleviate any other conditions of hardship as determined by DCHA to effectuate DCHA goals or objectives; and

(g) Transfer required by DCHA is an adverse action that is subject to the notice requirements for adverse actions.

7702.2 Transfers required by DCHA, as defined at § 7702.1, are mandatory for the tenant.

7702.3 When a family is initially given an accessible unit, but does not require the accessible features, DCHA may require the family to agree to move to a non-accessible unit when it becomes available.

7702.4 When a non-accessible unit becomes available, DCHA shall transfer a family living in an accessible unit that does not require the accessible features, to an available

unit that is not accessible. DCHA may wait until a disabled resident requires the accessible unit before transferring the family that does not require the accessible features out of the accessible unit.

7702.5 DCHA may require a resident to move when a reexamination indicates that there has been a change in family composition, and the family is either overcrowded or over-housed.

7702.6 DCHA may initially place a resident in an inappropriately sized unit at lease-up, where the family is over-housed, to prevent vacancies. The public housing lease must include the tenant's agreement to transfer to an appropriately sized unit based on family composition.

7702.7 The following applies to overcrowded and over-housed tenants:

(a) DCHA transfers a family when the family size has changed and the family is now too large (overcrowded) or too small (over-housed) for the unit occupied;

(b) For purposes of the transfer policy, overcrowded and over-housed are defined as follows:

(1) "Overcrowded" is when the number of household members exceeds the maximum number of persons allowed for the unit size in which the family resides, according to the policy in 6401; and

(2) "Over-housed" is when the family no longer qualifies for the bedroom size in which they are living based on DCHA's occupancy standards according to § 6401.

(c) DCHA may also transfer a family who was initially placed in a unit in which the family was over-housed to a unit of an appropriate size based on DCHA's occupancy standards, when DCHA determines there is a need for the transfer;

(d) DCHA may elect not to transfer an over-housed family in order to prevent vacancies;

(e) A family that is required to move because of family size is advised by DCHA that a transfer is necessary, and that the family has been placed on the transfer list; and

(f) Families that request and are granted an exception to the occupancy standards (for either a larger or smaller size unit) in accordance with the policies in § 6401 are only required to transfer if it is necessary to comply with the approved exception.

7702.8 The transfers in this Chapter 77 permit DCHA to demolish, sell, or do major capital, or rehabilitation work at a building site.

7702.9 The following applies to relocations in transfer situations:

(a) DCHA will relocate a family when the unit or site in which the family lives will undergo major rehabilitation that requires the unit to be vacant, or the unit will be disposed of or demolished. DCHA's relocation plan may or may not require transferring affected families to other available public housing units;

(b) If the relocation plan calls for transferring public housing families to other public housing units, then affected families shall be placed on the transfer list; and

(c) If they are necessitated by rehabilitation or redevelopment, relocations may be on-site or off-site and may be temporary. For such relocations, the right of a family to return to the property will be consistent with federal law, DCHA policies, and DCHA agreements with residents.

7702.10 DCHA will pay or reimburse the reasonable costs of transfers that DCHA requires, except that resident are required to bear the cost of occupancy standards transfers.

7702.11 The reasonable costs of transfers include the cost of packing, moving, and unloading.

7702.12 DCHA establishes a moving allowance based on the typical costs in the community of packing, moving, and unloading.

7702.13 DCHA reimburses the family for eligible out-of-pocket moving expenses up to DCHA's established moving allowance.

7703 TRANSFERS REQUESTED BY TENANTS

7703.1 Subject to the provisions of Chapter 77, a tenant may request to transfer to another Public Housing unit. Except for the exceptions under VAWA stated in this Chapter 77, all requests for transfer must be submitted to DCHA in writing.

7703.2 With the exception of approved VAWA requests, DCHA will only approve transfer requests for families that are in compliance with the terms and conditions of their leases and have resided in their dwelling units for at least one (1) year. However, DCHA may make exceptions to this requirement when it is to DCHA's advantage to transfer the family.

7703.3 Families with a disabled household member that request reasonable

accommodation transfers and families requesting a transfer pursuant to VAWA, as described below, are not subject to the one (1) year limitation.

7703.4 A family is compliant with the terms and conditions of its lease if the family:

(a) Is current on rent payments or on any repayment agreement, consent judgment agreement, or settlement agreement;

(b) Is current with recertification process;

(c) Is not subject to a citation for any lease violation;

(d) Has a good housekeeping record as evidenced by a housekeeping inspection; and

(e) Is not subject to a Notice to Correct or Vacate or a Notice to Vacate.

7703.5 DCHA shall acknowledge receipt of each tenant request for transfer. The date of acknowledgment shall serve as the Tenant Request for Transfer date, which will be used by DCHA to determine the family's place on the transfer waiting list.

7703.6 [RESERVED].

7703.7 Tenant requests for transfers that DCHA considers are limited to requests for:

(a) Transfers to alleviate a verified medical condition of serious or life-threatening nature;

(b) Transfers due to a verified threat of physical harm or criminal activity. Such circumstances may, at DCHA's discretion, include an assessment by law enforcement indicating that a family member is the actual or potential victim of a criminal attack, retaliation for testimony, or a hate crime, including VAWA transfer requests;

(c) Reasonable accommodation;

(d) Kinship Care or court-ordered custody transfers to a different unit size as long as the family qualifies for the unit according to DCHA's occupancy standards;

(e) Transfers to a location closer to employment; and

(f) No other tenant transfer requests are considered by DCHA.

7703.8 [RESERVED]

7703.9 Transferring residents do not have to meet the admission eligibility requirements pertaining to income or preference.

7703.10 If an applicant family accepted a unit size smaller than designated by the occupancy guidelines, the family is not eligible to transfer to a larger size unit for a period of one (1) year from the date of admission, unless they have a change in family size or composition, or it is needed as a reasonable accommodation.

7703.11 When a family transfers from one unit to another, DCHA transfers their security deposit to the new unit. The tenant is billed for any maintenance or others charges due for the "old" unit.

7703.12 DCHA must pay moving expenses to transfer a resident with a disability to an accessible unit as an accommodation for the resident's disability.

7703.13 The resident bears all the costs of transfer due to the resident's requests. However, DCHA bears the transfer costs when the transfer is done as a reasonable accommodation.

7703.14 Residents requesting a transfer to another unit or development are required to submit a written request using DCHA's required form for transfer.

7703.15 To request the emergency transfer under VAWA, the resident is required to submit an emergency transfer request form (HUD-5383). Consistent with § 8107, DCHA may, on a case-by-case basis, waive this requirement. Transfer requests under VAWA are processed in accordance with DCHA's emergency transfer plan.

7703.16 In the case of a reasonable accommodation transfer, DCHA encourages the resident to make the request in writing using a reasonable accommodation request form. However, DCHA considers the transfer request any time the resident indicates that an accommodation is needed whether or not a formal written request is submitted.

7703.17 DCHA responds to a resident transfer request by approving the transfer and putting the family on the transfer list, by denying the transfer, or by requiring more information or documentation from the family, as allowable.

7703.18 If the family does not meet the requirements outlined in §§ 7703.2 and 7703.3 except where noted above, the property manager shall address the problem and, until resolved, the request for transfer shall be denied.

7703.19 DCHA responds within ten (15) business days of the submission of the family's request. If DCHA denies the request for transfer, the family is informed of its grievance rights.

7704 TRANSFER PROCESSING

7704.1 Families who request a transfer should be placed on a transfer list and processed in a consistent and appropriate order as described below:

(a) DCHA maintains a centralized transfer list to ensure that transfers are processed in the correct order and that procedures are uniform across all properties;

(b) Emergency transfers do not automatically go on the transfer list. Instead, emergency transfers are handled immediately, on a case-by-case basis. If the emergency cannot be resolved by a temporary accommodation, and the resident requires a permanent transfer, the family is placed at the top of the transfer list;

(c) Transfers are processed in the following order:

(1) Emergency transfers (as defined in § 7701);

(2) DCHA-required or tenant requested transfers for a verified threat of harm or criminal activity as defined in §§ 7702.1(e) and 7703.7(b) respectively;

(3) Reasonable accommodation transfers;

(4) Transfers to make accessible units available when a family who does not require the accessible features is residing in the unit and an applicant or tenant family requires the unit's accessible features;

(5) Transfers from a unit to be demolished, disposed, or rehabilitated as defined in § 7702.1(c);

(6) Occupancy standards transfers as defined in § 7702.1(b);

(7) Other DCHA-required transfers described in § 7702; and

(8) Other tenant-requested transfers described in § 7703.

(d) Within each category, transfers are processed in order of the date a family was placed on the transfer list, starting with the earliest date;

(e) With the approval of the executive director, DCHA may, on a case-by-case basis, transfer a family without regard to its placement on the transfer list in order to achieve DCHA's stated strategic goals and objectives. Such transfers are at the discretion of DCHA and will be initiated by DCHA, and cannot be initiated or requested by tenants;

(f) Demolition and renovation transfers may be processed without regard for

the order defined in this chapter as necessary to allow DCHA to meet the demolition, renovation or redevelopment schedule; and

(g) Except for transfers based on a reasonable accommodation and transfers based on VAWA in accordance with § 8107, waiting list admissions shall take precedence over transfers at the ratio of five (5) new admissions from the waiting list to one (1) transfer.

7704.2 The following applies to transfer offers:

(a) Except for approved transfers for a reasonable accommodation, residents shall receive one (1) offer of a transfer.

(b) A current resident receiving a reasonable accommodation transfer offer will receive two (2) offers of accessible units before the resident's name is removed from reasonable accommodation waiting list.

(c) A family that receives a written notice of a new dwelling unit offer and refuses the offer without good cause as defined in § 7704.4 shall be issued a Notice to Quit or Cure.

(d) When the transfer is required by DCHA, the refusal of that offer without good cause results in lease termination.

(e) When the transfer has been requested by the resident, the refusal of that offer without good cause results in the removal of the family from the transfer list. In such cases (with the exception of VAWA transfer requests), the family must wait twelve (12) months to reapply for another transfer.

7704.3 Reasons for good cause for refusal of a unit offer include but are not limited to the following:

(a) The family demonstrates to DCHA's satisfaction that accepting the unit offer requires an adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities;

(b) The family demonstrates to DCHA's satisfaction that accepting the offer places a family member's life, health, or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders, other court orders, risk assessments related to witness protection from a law enforcement agency, or documentation of domestic violence, dating violence, and/or stalking in accordance with 8107. For approved VAWA transfers, DCHA will accept as good cause refusal a written or oral statement from the family that they reasonably believe that the proposed transfer would not be safe. Reasons offered must be specific to the family.

Refusals due to location alone do not qualify for this good cause exemption;

(c) A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal household member;

(d) The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a thirty (30) day notice to move;

(e) The unit has lead-based paint and the family includes children under the age of six (6); and

(f) DCHA requires documentation of good cause for unit refusals.

7704.4 The reexamination date shall be changed to the first (1st) of the month in which the transfer took place.

Chapter 78, [RESERVED], of Title 14 DCMR, HOUSING, is renamed and replaced in its entirety to read as follows:

CHAPTER 78 LEASE TERMINATIONS

7800 INTRODUCTION

7800.1 Either party to the dwelling lease agreement may terminate the lease in accordance with the terms of the lease and applicable local and federal law.

7800.2 The Lessee's rental assistance is tied to his or her tenancy.

7800.3 When the Lessee vacates the public housing unit, their rental assistance is terminated.

7800.4 DCHA has the authority to terminate the lease based on the Lessee's failure to comply with HUD regulations, for serious or repeated violations of the terms of the lease, and for other good cause in accordance with the provisions of the lease and the regulations at 24 CFR § 966.4(l)(2).

7800.5 There is no time limitation on bringing an action based on a breach of the lease.

7800.6 For the purposes of this section, Lessee shall have the same definition as in Chapter 67.

7800.7 This Chapter provides the regulations that govern voluntary termination of the lease

by the Lessee and the mandatory and voluntary termination of the lease by DCHA. It is presented in four parts:

(a) Section 7801, Termination by Tenant specifies DCHA requirements for voluntary termination of the lease by the Lessee;

(b) Section 7802, Termination by DCHA–Mandatory, specifies when termination of the lease by DCHA is mandatory, including nonrenewal of the lease for noncompliance with community service requirements;

(c) Section 7803, Termination by DCHA – Other Authorized Reasons, specifies DCHA's options for lease termination for which HUD allows DCHA to terminate the lease.

(d) Section 7804, Notification Requirements, specifies requirements for disclosure of criminal records to the Lessee prior to termination, the requirements for timing and content of written notices for lease termination, and notification of the post office when eviction is due to criminal activity. This part also discusses record keeping related to lease termination.

7801 TERMINATION BY TENANT

7801.1 The Lessee may terminate the lease at any time, for any reason, by

(a) Providing at least thirty (30) calendar days advance written notice to the Property Manager of their intent to vacate;

(b) When a family must give less than thirty (30) days' notice due to circumstances beyond their control, DCHA, at its discretion, may waive the thirty (30) day requirement;

(c) The notice of lease termination must be signed by all adult family members who signed the lease; and

(d) In order to be valid, Lessee shall leave the premises in as clean and good condition as Lessee received at the start of Lessee's occupancy, wear and tear excepted, and return all keys and all other entry devices to DCHA.

7801.2 If the Lessee moves out the unit or is deceased, a remaining household member, or another adult identified below, must notify DCHA in writing of the Lessee's death or departure within fourteen (14) days of the date the Lessee vacates the Leased Premises or dies.

7801.3 Within thirty (30) days after the date referenced in § 7801.2, or within fourteen (14) days of DCHA's issuance of a Notice to Vacate the Premises, Notice to Cure or Vacate, or Lease Termination Notice, whichever is later, in order to sustain

continued occupancy for the remaining household members at the Leased Premises, the remaining household member or other adult must submit a written request to become head of household.

7801.4 Details on the process and exclusions from the rule in § 7801.3 are as follows:

(a) Section § 7801.3 does not apply if the head of household vacates the unit pursuant to the issuance of a Notice to Correct, Notice of Non-Payment of Rent, or Vacate, or a Notice to Vacate.

(b) If the head of household vacates the unit pursuant to a notice referenced in § 7801.4(a), the remaining family members must vacate the unit. If the remaining family members do not vacate the unit, they shall be deemed unauthorized occupants;

(c) The applicant to be made Lessee, and if applicable, the other remaining household members must be eligible for continued occupancy and not be in serious violation of the material terms of the Dwelling Lease. DCHA will screen the application in accordance with federal law and regulations as well as Chapter 62. Applicant(s) will be notified in writing of the disposition of the application:

(1) If the application is approved, the new Lessee shall enter into a new lease agreement with DCHA within seven (7) working days of the date of approval of the application;

(2) Any balance on the rental account existing prior to a remaining household member becoming the Lessee is the responsibility of the newly designated Lessee as head of household;

(3) Any obligations for rent, causes of action arising under the original Lease, stipulations of settlement, consent judgments, judgments, or repayment agreements of the prior Lessee shall be deemed part of the new Dwelling Lease and tenancy and shall be the responsibility of the new Lessee designated as head of household and actionable against such new Lessee; or

(4) If the applicant and other remaining household members are not approved to continue to occupy the Leased Premises, and such remaining members do not vacate, they will be deemed unauthorized occupants and thus occupying premises without the consent of DCHA and shall be subject to eviction by DCHA. The applicant may file a grievance regarding the denial of his or her application in accordance with the Authority's grievance procedures; and

(d) If there are no remaining adult household members, or none who are able to serve as head of household due to disability, but the unit continues to be occupied by household members who are minor children or adults unable to serve as head of household due to disability, then an adult who is not listed on the lease may apply to become Lessee and Head of Household. The following shall apply under these circumstances:

(1) The applicant to be Lessee must produce evidence of a care giving relationship with the remaining minor children or disabled adults. Such documentation may include, but is not limited to, court order; notarized authorization from the children's legal guardian; school or medical records; public benefit records; and sworn statements from medical, legal, or social service professionals;

(2) Where the remaining family members are minors, the applicant to be Lessee must either (i) obtain Custodial Power of Attorney; or (ii) commence legal proceedings to obtain legal guardianship or custody of the minor children. So long as such proceeding is pending, and the applicant has produced evidence of a caregiving relationship, and meets DCHA's other screening criteria, DCHA shall consider the applicant to be provisionally eligible to be Lessee and Head of Household, until a decision is made;

(3) In the case of § 7801.4(c)(2), above, the applicant's eligibility to be Lessee and head of household is contingent on legal proceedings pending or being resolved in favor of the applicant. If a court of competent jurisdiction denies the applicant's petition for custody or guardianship, no appeal is pending, and the appeal period has expired, DCHA will determine the applicant ineligible to be head of household and may issue a Notice to Vacate. In that event, another remaining adult household member may submit an application to be Lessee and head of household within thirty (30) days of the issuance of the Notice, and DCHA will process such application in accordance with the requirements of this section; and

(4) Where more than one adult has competing claims to become Lessee and head of household as caregivers of the remaining minor children, DCHA shall follow the ruling of a court of competent jurisdiction regarding the custody or guardianship of the children.

7801.5 The Lessee shall be liable for rent until the earlier of the time DCHA has taken possession of the Unit, or such time as all of the following are completed:

(a) The proper written notice has been given;

(b) The required vacate forms are completed with the assistance of DCHA if necessary;

(c) The keys are turned in; and any other entry devices; and

(d) Lessee and all household members, guests as well as all others defined as any person under the Lessee's control or on the Leased Premises with Lessee's consent; including but not limited to, any individuals occupying or using the Leased Premises for any purpose with actual or implied consent of the Lessee (hereinafter referred to collectively as "others"), have vacated the Leased Premises.

7802 TERMINATION BY DCHA—MANDATORY

7802.1 DCHA may, in its sole and absolute discretion, terminate a lease for a serious or repeated violation of a material term of the lease.

7802.2 There is no time limitation on bringing a notice of termination, notice to vacate, notice to cure or vacate, notice of past due rent, or action based on breach of the lease.

7802.3 Lessee is responsible for compliance with all provisions of the Lease by all household members, visitors, guests, unauthorized occupants, live-in aides, others under the Lessee's control or on the Leased Premises with Lessee's consent; including, but not limited to, any individuals occupying or using the Leased Premises for any purpose with actual or implied consent of the Lessee.

7802.4 A violation of any of the terms of the lease by any person noted in 7802.3 shall be considered a serious violation of the lease.

7802.5 DCHA may in its sole and absolute discretion terminate a lease for Lessee's violation of an obligation of tenancy.

7802.6 An "obligation of tenancy" refers to those obligations which are contained in a valid, written lease or in the federal or local regulations pertaining to public housing tenants or in the D.C. Housing Code. Such violations include but are not limited to the violations set forth in § 7802.7 – 7802.17.

7802.7 Lessee's failure to supply any information that DCHA or HUD determines is necessary in administration of the public housing program, including but not limited to, information needed to establish the family's eligibility for continued occupancy and to determine their level of subsidy.

7802.8 DCHA must terminate the lease if any household member fails to sign and submit any consent form they are required to sign for any reexamination or revokes consent at any time.

7802.9 DCHA must terminate the lease if:

(a) A family fails to submit required documentation within the required timeframe concerning any family member's citizenship or immigration status;

(b) A family submits evidence of citizenship and eligible immigration status in a timely manner, but United States Citizenship and Immigration Services (USCIS) primary and secondary verification does not verify eligible immigration status of the family, resulting in no eligible family members; or

(c) A family member, as determined by DCHA, has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the unit. Such termination must be for a period of at least twenty-four (24) months. This does not apply to ineligible noncitizens already in the household where the family's assistance has been prorated.

7802.10 DCHA will terminate assistance if the Lessee has failed to disclose the complete and accurate Social Security numbers of each household member and the documentation necessary to verify each Social Security number (SSN), except that DCHA may defer the family's termination and provide the family with the opportunity to comply with the requirement for a period of ninety (90) calendar days for circumstances beyond the Lessee's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency, if there is a reasonable likelihood that the participant will be able to disclose an SSN by the deadline.

7802.11 DCHA will terminate the lease if the Lessee fails to accept DCHA's offer of a lease revision to an existing lease, provided DCHA has done the following:

(a) The revision is on a form adopted by DCHA in accordance with 24 CFR § 966.3 pertaining to requirements for notice to tenants and resident organizations and their opportunity to present comments;

(b) DCHA has made written notice of the offer of the revision at least sixty (60) calendar days before the lease revision is scheduled to take effect; and

(c) DCHA has specified in the offer a reasonable time limit within that period for acceptance by the Lessee.

7802.12 DCHA will terminate the lease if the Lessee or any household member has ever been convicted of the manufacture or production of methamphetamine on the premises of federally assisted housing.

7802.13 Should DCHA discover that a member of an assisted household was subject to a lifetime registration requirement at admission and was erroneously admitted after June 25, 2001, or who becomes subject to a lifetime registration requirement after admission, DCHA will immediately terminate assistance for the household member.

7802.14 If a termination occurs under § 7802.13, DCHA will offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, DCHA will terminate assistance for the household.

7802.15 DCHA will not renew the lease at the end of the twelve (12) month lease term when the family fails to comply with the community service requirements as described in Chapter 73, 24 CFR § 966.4(l)(2)(ii)(D), 24 CFR § 960.603(b) and 24 CFR § 960.607(b)(2)(ii) and (c).

7802.16 DCHA will immediately terminate the lease following the death of the sole family member.

7802.17 For families whose income exceeds the over-income limit for twenty-four (24) consecutive months, DCHA will terminate the lease in accordance with § 6805.

7803 TERMINATION BY DCHA—OTHER AUTHORIZED REASONS

7803.1 [RESERVED]

7803.2 The following definitions are used for this and other parts of this chapter:

(a) "Affiliated individual" is defined in § 8107.3(a);

(b) "Covered person" means a tenant, any member of the tenant's household, a guest, or another person under the tenant's control;

(c) "Dating violence" is defined in § 8107.3(c);

(d) "Domestic violence" is defined in § 8107.3(d);

(e) "Drug" means a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. § 802);

(f) "Drug-related criminal activity" means the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with the intent to manufacture, sell, distribute, or use the drug;

(g) "Guest" means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied

authority to so consent on behalf of the tenant;

(h) "Household" means the family and DCHA-approved live-in aide. The term household also includes foster children or foster adults that have been approved to reside in the unit;

(i) "Other person under the tenant's control" means that the person, although not staying as a guest in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the tenant's control;

(j) "Premises" means the building or complex or development in which the public or assisted housing dwelling unit is located, including common areas and grounds;

(k) "Sexual assault" is defined in § 8107.3(e);

(l) "Stalking" is defined in § 8107.3(f); and

(m) "Violent criminal activity" means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

7803.3 The Violence Against Women Act explicitly prohibits DCHA from considering incidents of actual or threatened domestic violence, dating violence, sexual assault, and/or stalking as "other good cause" for terminating the assistance, tenancy, or occupancy rights of the victim or threatened victim of such violence.

7803.4 DCHA shall terminate the lease for drug-related criminal activity engaged in on or off the premises by any tenant, member of the tenant's household or guest, and any such activity engaged in on the premises by any other person under the tenant's control.

7803.5 DCHA will terminate the lease when it determines that a household member is illegally using a drug or DCHA determines that a pattern of illegal use of a drug interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

7803.6 DCHA will terminate the lease when a covered person engages in any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents (including DCHA management staff residing on the premises) or by persons residing in the immediate vicinity of the development.

7803.7 DCHA will terminate the lease if the Lessee, household member, guest, or other person under the Lessee's control engages in any violent criminal activity or, except as permitted by District of Columbia law, is in possession of any firearm or ammunition for a firearm.

7803.8 DCHA may terminate a lease for criminal or drug-related criminal activity regardless of whether the household member, guest or other person under the lessee's control has been arrested or convicted, and without satisfying the standard of proof used for a criminal conviction. The standard to be used is a preponderance of the evidence.

7803.9 DCHA will terminate the lease if DCHA determines that a household member has engaged in abuse or a pattern of abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

7803.10 A pattern of such alcohol abuse means more than one incident of any such abuse of alcohol during the previous three (3) months.

7803.11 DCHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of household members related to the abuse of alcohol.

7803.12 A record or records of arrest will not be used as the sole basis for the termination or proof that the resident engaged in disqualifying criminal activity.

7803.13 DCHA shall terminate the lease if the Lessee, household member, guest or others under the Lessee's control engage in the manufacture, sale, or distribution of any alcoholic beverages or openly consume alcoholic beverages in any common areas in the Development or otherwise consume alcoholic beverages in a manner that impairs the physical or social environment of the Development or the health, safety or right to peaceful enjoyment of the Development by other residents, service providers, or Authority staff.

7803.14 DCHA shall terminate the lease if the Lessee, other household members, and guests or others under the Lessee's control permit anyone who is currently barred from the Leased Premises or Development from occupying, staying overnight, or visiting the Leased Premises or invite them to the Leased Premises or anywhere else on the Development at any time for any purpose, unless authorized in writing by the Authority in advance in writing. The Authority will post a list of barred individuals in the Property Management Office.

7803.15 DCHA will terminate the lease if it determines that a household member has furnished false or misleading information concerning illegal drug use, alcohol abuse, or rehabilitation of illegal drug users or alcohol abusers.

7803.16 DCHA will terminate the lease for the following violations of tenant obligations

under the lease:

(a) Failure to make payments due under the lease, including nonpayment of rent (see Chapter 67 for details pertaining to lease requirements for payments due);

(b) Repeated late payment of rent or other charges. DCHA considers six (6) late payments within a twelve (12) month period as repeated late payment; or

(c) Failure to fulfill the following household obligations:

(1) Not to assign the lease or to sublease all or a part of the dwelling unit. Subleasing includes, but is not limited to, receiving payment to cover rent or utility costs by a person living in the unit who is not listed as a family member;

(2) Not to provide accommodations for boarders or lodgers;

(3) To use the dwelling unit solely as a private dwelling for the Lessee and the Lessee's household as identified in the lease, and not to use or permit its use for any other purpose;

(4) To abide by necessary and reasonable regulations promulgated by DCHA for the benefit and well-being of the housing development and the Lessees which shall be posted in the property management office and incorporated by reference in the lease;

(5) To comply with all obligations imposed upon Lessees by applicable provisions of building and housing codes materially affecting health and safety;

(6) To keep the dwelling unit and such other areas as may be assigned to the Lessee for the Lessee's exclusive use in a clean and safe condition;

(7) To dispose of all ashes, garbage, rubbish, and other waste from the dwelling unit in a sanitary and safe manner;

(8) To use only in a reasonable manner all electrical, plumbing, sanitary, heating, ventilating, air-conditioning and other facilities and appurtenances including elevators;

(9) To refrain from, and to cause the household and guests to refrain from destroying, defacing, damaging, or removing any part of the dwelling unit or development;

(10) To pay reasonable charges (other than for normal wear and tear) for the repair of damages to the dwelling unit, or to the project (including damages to development buildings, facilities or common areas) caused by the Lessee, a member of the household or a guest; and

(11) To act, and cause household members or guests to act, in a manner which does not disturb other residents' peaceful enjoyment of their accommodations and is conducive to maintaining the project in a decent, safe and sanitary condition.

7803.17 DCHA will terminate the lease if a tenant is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees, or that, in the case of the State of New Jersey, is a high misdemeanor; or violating a condition of probation or parole imposed under federal or District law.

7803.18 DCHA will terminate the lease if any member of the household has, during their current public housing tenancy, becomes subject to a registration requirement under a state sex offender registration program.

7803.19 DCHA will terminate the lease for discovery of facts after admission to the program that would have made the tenant ineligible.

7803.20 DCHA will terminate the lease for discovery of materially false statements or fraud by the tenant in connection with an application for assistance or with a reexamination of income.

7803.21 DCHA will terminate the lease for failure of the lessee to furnish such information and certifications regarding family composition and income as may be necessary for DCHA to make determinations with respect to rent, eligibility, and the appropriateness of the dwelling unit size.

7803.22 DCHA will terminate the lease for failure to move to a new unit in accordance with a mandatory transfer as described in § 7702, upon appropriate notice by DCHA that such a dwelling unit is available.

7803.23 DCHA will terminate the lease for failure of the Lessee to permit access to the unit by DCHA after proper advance notification for the purpose of performing routine inspections and maintenance, for making improvements or repairs, or to show the dwelling unit for re-leasing, or without advance notice if there is reasonable cause to believe that an emergency exists.

7803.24 DCHA will terminate the lease for failure of the Lessee to promptly inform DCHA of the birth, adoption, or court-awarded custody of a child. In such a case, promptly means within 30 business days of the event.

7803.25 DCHA will terminate the lease for failure of the Lessee to abide by the provisions of DCHA pet policy.

7803.26 DCHA will terminate the lease for failing of the Lessee to comply with the non-smoking policy.

7803.27 DCHA will terminate the lease if the Lessee has breached the terms of an in-house repayment agreement entered with DCHA.

7803.28 DCHA will terminate the lease if the Lessee has violated federal, District, or local law that imposes obligations in connection with the occupancy or use of the premises.

7803.29 DCHA will terminate the lease if a household member has engaged in or threatened violent or abusive behavior toward DCHA personnel.

7803.30 "Abusive or violent behavior" towards DCHA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

7803.31 "Threatening" refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

7803.32 DCHA will terminate the lease for failure of the Lessee or remaining family member to supply any information or certification requested by DCHA to verify that the family is living in the unit, or relating to family absence from the unit, including any DCHA-requested information or certification on the purposes of family absences.

7803.33 If the Lessee does not notify DCHA when all family members will be absent from the unit for an extended period and does not provide this notification within fifteen (15) business days of the start of this extended absence, DCHA will terminate the lease for failure of the Lessee to promptly notify DCHA when all family members will be absent from the unit for an extended period. As indicated, in such a case promptly means within fifteen (15) business days of the start of the extended absence.

7803.34 An "extended period" is defined as any period greater than thirty (30) calendar days.

7803.35 DCHA will terminate the lease for other good cause if a family is absent from the public housing unit for more than one hundred eighty (180) consecutive days, and the family does not adequately verify that they are living in the unit.

7803.36 DCHA will terminate the lease if the family appears to have vacated the unit without giving proper notice.

7803.37 D C HA has the right to secure the unit immediately to prevent vandalism and other criminal activity.

7803.38 DCHA shall terminate the lease if the Lessee fails to comply with a mandatory transfer notice.

7804 NOTIFICATION REQUIREMENTS, EVICTION PROCEDURES AND RECORD KEEPING

7804.1 HUD authorizes DCHA to conduct criminal records checks on public housing residents for admission criteria, recertification, lease enforcement and eviction.

7804.2 DCHA may conduct criminal records checks when it learns that an applicant or applicant's adult household member has engaged in criminal activity, drug-related criminal activity, violent criminal activity, or is in possession of a firearm or ammunition, except as authorized by D.C. Law.

7804.3 DCHA may conduct criminal records checks when it learns that a Lessee, adult household member, live-in-aide, guest, or other person under the Lessee's control has engaged in criminal activity that threatens the health, safety, or right to peaceful enjoyment of the Development by other residents or DCHA staff, drug-related criminal activity on or off the leased Premises or the Development, violent criminal activity on or off the leased Premises or the Development or possession of a firearm or ammunition, except as authorized by District Law.

7804.4 Criminal records checks may include sex-offender registration information.

7804.5 DCHA will not pass along to the tenant the costs of a criminal records check.

7804.6 In all cases where criminal record or sex offender registration information would result in lease enforcement or eviction, DCHA will notify the household in writing of the proposed adverse action and will provide the subject of the record and the tenant a copy of such information, and an opportunity to dispute the accuracy and relevance of the information before an eviction or lease enforcement action is taken.

7804.7 The family will be given fifteen (15) business days from the date of DCHA notice to dispute the accuracy and relevance of the information.

7804.8 If the family does not contact DCHA to dispute the information within fifteen (15) business days period, DCHA will proceed with the termination action.

7804.9 Should the tenant not exercise their right to dispute prior to any adverse action, the tenant still has the right to dispute in the grievance hearing or court trial.

7804.10 Notices of lease termination must be in writing. The notice must state the specific grounds for termination, the time period during which the termination will take place, the resident's right to reply to the termination notice, and their right to examine DCHA documents directly relevant to the termination or eviction.

7804.11 When DCHA offers remote hearings, the notice will also state that the resident may request a remote hearing.

7804.12 If DCHA will require that the hearing be conducted remotely, at the time the notice is sent to the resident informing them of the right to request a hearing, the resident will be notified that the hearing will be conducted remotely. The resident will be informed of the processes involved in a remote hearing and that DCHA will provide technical assistance, if needed, before the hearing.

7804.13 Every applicant, adult applicant household member, lessee, adult household member, live-in-aide, guest or other person under the Lessee's control shall, upon request submit a signed consent form allowing a law enforcement agency to release criminal records to DCHA.

7804.14 Nothing in this section precludes DCHA from pursuing lease enforcement or eviction for criminal conduct regardless of whether the covered person has been arrested or convicted for such activity and without satisfying the standard of proof used for a criminal conviction.

7804.15 The notice of lease termination shall state specific grounds for termination, and shall inform the Lessee of the Lessee's right to make such reply as the Lessee may wish. The notice shall also inform the Lessee of the right to examine DCHA documents directly relevant to the termination or eviction.

7804.16 If DCHA is required to afford the tenant the opportunity for a grievance hearing, the notice in § 7804.15 shall also inform the Lessee of the Lessee's right to request a hearing in accordance with DCHA's grievance procedure in Chapter 79.

7804.17 If DCHA is not required to afford the Lessee a hearing under its grievance procedure, the notice in § 7804.15 shall state this fact and shall state the judicial eviction procedure to be used by DCHA for eviction of the Lessee, and state that HUD has determined that this eviction procedure provides the opportunity for a hearing in court that contains the basic elements of due process as defined in HUD regulations.

7804.18 The notice in § 7804.15 shall state whether the eviction is for a criminal or for a drug-related criminal activity.

7804.19 DCHA shall issue a Notice of Past Due Rent in the case of failure to pay rent or other violations of the lease except as otherwise set forth herein.

7804.20 DCHA shall issue a thirty (30) day notice to vacate to Lessees, for lease violations, predicated on criminal activity that threatens the residents' health, safety or right to peaceful enjoyment of the Development, drug related criminal activity on or off the Leased Premises or the Development, violent criminal activity or possession of a firearm or ammunition in violation of District law.

7804.21 DCHA will not issue a thirty (30) day notice to correct or vacate, or notice to vacate, where DCHA has determined that the head of household responsible for the dwelling unit under the Dwelling lease is deceased and there are no remaining household members.

7804.22 All notices of lease termination will include a copy of the forms HUD-5382: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation and HUD-5380: VAWA Notice of Occupancy Rights to accompany the termination notice.

7804.23 Any tenant who claims that the cause for termination involves domestic violence, dating violence, sexual assault, or stalking, of which the tenant or affiliated individual of the tenant is the victim will be given the opportunity to provide documentation.

7804.24 Lessees who refuse to vacate their unit after appropriate notice shall be subject to legal action to gain possession of the dwelling unit (eviction).

7804.25 The Lessee shall be solely responsible for the protection, care and disposition of the Lessee's possessions during, and after an eviction.

7804.26 Notices shall be served in accordance with District Law. Any Notice to Vacate or Notice to Cure or Vacate, Notice of Past Due Rent, Notice of Non-Payment of Rent or Notice of Intent to File a Claim that is required by state or local law will run concurrently with the Notice of Lease Termination under § 7804.

7804.27 When DCHA determines that a family is in noncompliance with the community service requirement, the tenant and any other noncompliant resident must be notified in writing of this determination.

7804.28 If after receiving a notice of initial noncompliance, the family does not request a grievance hearing or does not take either corrective action required by the notice within the required timeframe, a termination notice shall be issued in accordance with the policies above.

7804.29 If a family agreed to cure initial noncompliance by signing an agreement and is still in noncompliance after being provided the three (3)-month opportunity to cure, the family shall be issued a notice of continued noncompliance. The notice of continued noncompliance will be sent in accordance with the policies in § 7301.38, and shall also serve as the notice of termination of tenancy.

7804.30 In cases where termination of tenancy is based on citizenship status the notice of termination shall advise the Lessee of the reasons the assistance is being terminated.

7804.31 The notice in § 7804.30 will advise the family of any of the following that apply:

(a) the family's eligibility for proration of assistance;

(b) the criteria and procedures for obtaining relief under the provisions for preservation of families;

(c) the family's right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or a written explanation in support of the appeal; and

(d) the family's right to request an informal hearing with DCHA either upon completion of the USCIS appeal or in lieu of the USCIS appeal.

7804.32 DCHA may exclude from DCHA administrative grievance procedure under this subpart any grievance concerning a termination of tenancy or eviction that involves:

(a) Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises of other residents or employees of DCHA;

(b) Any violent or drug-related criminal activity on or off such premises; or

(c) Any criminal activity that resulted in felony conviction of a household member.

7804.33 When a family does not vacate the unit after receipt of a termination notice by the deadline given in the notice, DCHA will follow District landlord-tenant law in filing an eviction action with the local court that has jurisdiction in such cases.

7804.34 If the eviction action is finalized in court and the family remains in occupancy beyond the deadline to vacate given by the court, DCHA will seek the assistance of the court to remove the family from the premises as per District and local law.

7804.35 When DCHA evicts an individual or family for criminal activity, including drug-related criminal activity, DCHA must notify the local post office serving the dwelling unit that the individual or family is no longer residing in the unit.

7804.36 A written record of every termination and/or eviction will be maintained by DCHA at the development where the family was residing, and will contain the following information:

(a) Name of resident, number and identification of unit occupied;

(b) Date of the notice of lease termination and any other notices required by district or local law; these notices may be on the same form and will run concurrently;

(c) Specific reason(s) for the notices, citing the lease section or provision that was violated, and other facts pertinent to the issuing of the notices described in detail (other than any criminal history reports obtained solely through the authorization provided in 24 CFR §§ 5.903 and 5.905);

(d) Date and method of notifying the resident; and

(e) Summaries of any conferences held with the resident including dates, names of conference participants, and conclusions.

7804.37 The following applies to Terminations Related to Domestic Violence, Dating Violence, Sexual Assault, or Stalking:

(a) When an individual facing termination of tenancy for reasons related to domestic violence, dating violence, sexual assault, and/or stalking claims protection under VAWA, DCHA will request in writing that the individual provide documentation supporting the claim in accordance with the policies in § 8107.

(b) DCHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the individual will suffice. In such cases, DCHA will document the waiver in the individual's file.

(c) DCHA will bifurcate a family's lease and terminate the tenancy of a family member if DCHA determines that the family member has committed criminal acts of physical violence against other family members or others.

7804.38 In making its decision under § 7804.37, DCHA will consider all credible evidence, including, but not limited to, documentation as specified under § 8107.9. Upon such consideration, DCHA may, on a case-by-case basis, choose not to bifurcate the lease and terminate the tenancy of the culpable family member.

7804.39 If DCHA does bifurcate (see § 8107.4(b) for the definition of "bifurcate") the lease and terminate the tenancy of the culpable family member, it will do so in accordance with the lease, applicable law, and the policies in this ACOP.

7804.40 If the person removed from the lease was the only family member eligible to receive assistance, DCHA must provide any remaining tenant a chance to establish eligibility for the unit.

7804.41 If the remaining tenant cannot establish eligibility for the unit, DCHA must provide the tenant reasonable time to find new housing or to establish eligibility for another housing program covered under VAWA.

7804.42 In determining whether a public housing tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking is an actual and imminent threat to other tenants or those employed at or providing service to a property, DCHA will consider the following, and any other relevant, factors:

(a) Whether the threat is toward an employee or tenant other than the victim of domestic violence, dating violence, sexual assault, or stalking;

(b) Whether the threat is a physical danger beyond a speculative threat;

(c) Whether the threat is likely to happen within an immediate time frame; or

(d) Whether the threat to other tenants or employees can be eliminated in some other way, such as by helping the victim relocate to a confidential location, transferring the victim to another unit, or seeking a legal remedy to prevent the perpetrator from acting on the threat.

7804.43 If the tenant wishes to contest DCHA's determination that they are an actual and imminent threat to other tenants or employees, the tenant may do so as part of the grievance hearing or in a court proceeding.

Chapter 79, [RESERVED], of Title 14 DCMR, HOUSING, is renamed and replaced in its entirety to read as follows:

CHAPTER 79 PUBLIC HOUSING GRIEVANCES AND APPEALS

7900 INTRODUCTION

7900.1 This Chapter discusses grievances and appeals pertaining to DCHA's actions or failures to act that adversely affect public housing applicants or residents. The policies are discussed in the following three (3) parts:

(a) Section 7901, Informal Hearings for Public Housing Applicants, outlines the requirements and procedures for informal hearings for public housing applicants;

(b) Section 7902, Informal Hearings with Regard to Noncitizens, discusses informal hearings regarding citizenship status and where they differ from the requirements for general applicant and resident grievances; and

(c) Section 7903, Grievance Procedures for Public Housing Residents, outlines the requirements and procedures for handling grievances for public housing residents.

7901 INFORMAL HEARINGS FOR PUBLIC HOUSING APPLICANTS

7901.1 [RESERVED]

7901.2 Informal hearings are provided for public housing applicants.

7901.3 An "applicant" is someone who has applied for admission to the public housing program, but is not yet a tenant in the program.

7901.4 Informal hearings provide applicants with the opportunity to review the reasons for denial of admission and to present evidence to refute the grounds for denial.

7901.5 DCHA will only offer informal hearings to applicants for the purpose of disputing adverse decisions regarding denial of admission.

7901.6 DCHA must give an applicant notice of a decision denying eligibility for admission within ten (10) business days in accordance with Chapter 63.

7901.7 The notice in § 7901.6 must contain a brief statement of the reasons for DCHA's decision and must also state that the applicant may request an informal hearing to dispute the decision. The notice must describe how to obtain the informal hearing.

7901.8 DCHA's Notice of Denial will include information about required or requested remote informal hearings.

7901.9 If the applicant fails to request an informal hearing timely, the Notice of Denial shall be the final decision of DCHA.

7901.10 The applicant may appeal the final decision under the rules and procedures under the District Administrative Procedures Act, District Code § 2–510(a).

7901.11 When denying eligibility for admission, DCHA will provide the family a notice of VAWA rights (form HUD-5380) as well as the HUD VAWA self-certification form (form HUD-5382) in accordance with the Violence against Women Reauthorization Act of 2022, and as outlined in §§ 8107.4- 8107.10. The notice and self-certification form must accompany the written notification of the denial of eligibility determination.

7901.12 Prior to notification of denial based on information obtained from criminal or sex offender registration records, the family will be given the opportunity to dispute the information in those records which would be the basis of the denial.

7901.13 The procedures for requesting and scheduling an informal hearing for an applicant are as follows:

(a) A request for an informal hearing must be made in writing and delivered to DCHA either in person, by email or first-class mail, by the close of the business day, no later than fifteen (15) business days from the date of DCHA's notification of denial of admission;

(b) DCHA must schedule and send written notice of the informal hearing within fifteen (15) business days of the family's request;

(c) If the informal hearing is conducted remotely, at the time the notice is sent to the family, the family will be informed:

(1) Regarding the processes involved in a remote informal hearing;

(2) That DCHA shall provide technical assistance prior to and during the informal hearing, if needed; and

(3) That if the family or any individual witness has any technological, resource, or accessibility barriers preventing them from fully accessing the remote informal hearing, the family may inform DCHA and DCHA will assist the family in either resolving the issues or allow the family to participate in an in-person informal hearing, as appropriate;

(d) The informal hearing will be conducted by a person other than the one who made or approved the decision under review, or a subordinate of this person;

(e) The applicant will be provided an opportunity to present written or oral objections to the decision of DCHA; and

(f) The person conducting the informal hearing will make a recommendation to DCHA, but DCHA is responsible for making the final decision as to whether admission should be granted or denied.

7901.14 The following applies to remote hearings:

(a) DCHA has the sole discretion to require that informal hearings be conducted remotely;

(b) In addition, DCHA may conduct an informal hearing remotely upon request of the applicant as a reasonable accommodation for a person with a disability, if an applicant does not have childcare or transportation that would enable them to attend the informal hearing, or if the applicant believes an in-person informal hearing would create an undue health risk. DCHA considers other reasonable requests for a remote informal hearing on a case-by-case basis;

(c) As with in-person informal hearings, the platform for conducting remote informal hearings will be accessible to persons with disabilities and the informal hearing must be conducted in accordance with Section 504 and accessibility requirements;

(d) As with in-person hearings, LEP requirements also apply to remote informal hearings, including the use of interpretation services and document translation. See Chapter 61 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote informal hearings;

(e) DCHA will conduct remote informal hearings via a video conferencing platform, when available;

(f) If, after attempting to resolve any barriers, applicants are unable to adequately access the video conferencing platform at any point, or upon applicant request, the informal hearing will be conducted by telephone conferencing call-in;

(g) If the family is unable to adequately access the telephone conferencing call-in at any point, the remote informal hearing will be postponed, and an in-person alternative shall be provided promptly within a reasonable time;

(h) At least five (5) business days prior to scheduling the remote hearing, DCHA will provide the family with login information or conferencing call-in information and an electronic copy of all materials being presented via first class mail and/or email.

(i) The notice in § 7901.14(h) will advise the family of technological requirements for the hearing and request the family notify DCHA of any known barriers. DCHA will resolve any barriers using the guidance in Section 6 of Notice PIH 2020-32, including offering the family the opportunity to attend an in-person hearing;

(j) If the informal hearing is to be conducted remotely, DCHA requires the family to provide any documents directly relevant to the informal hearing at least twenty-four (24) hours before the scheduled hearing through the mail, via email, or text. DCHA will scan and email copies of these documents to DCHA representative and to the person conducting the informal hearing the same day. DCHA will provide the family with any documents directly relevant to the informal hearing at least 24 hours before the scheduled hearing;

(k) Documents will be shared electronically whenever possible;

(l) DCHA will follow up the email with a phone call or email to the applicant at least one (1) business day prior to the remote informal hearing to ensure that the applicant received all information and is able to access the video

conferencing or call-in platform; and

(m) DCHA will ensure that all electronic information stored or transmitted with respect to the informal hearing is secure, including protecting "personally identifiable information (PII)," and meets the requirements for accessibility for persons with disabilities and persons with LEP.

7901.15 The following applies to DCHA's final decision for public housing applicant hearings:

(a) DCHA will notify the applicant of DCHA's final decision, including a brief statement of the reasons for the final decision;

(b) In rendering a decision, DCHA will evaluate the following matters:

(1) Whether or not the grounds for denial were stated factually in the notice;

(2) The validity of grounds for denial of admission. If the grounds for denial are not specified in the regulations or in this ACOP, then the decision to deny assistance is overturned. See Chapter 62 for a detailed discussion of the grounds for applicant denial;

(3) The validity of the evidence. DCHA will evaluate whether the facts presented prove the grounds for denial of admission. If the facts prove that there are grounds for denial, and the denial is required by HUD, DCHA will uphold the decision to deny admission; and

(4) If the facts prove the grounds for denial, and the denial is discretionary, DCHA will consider the recommendation of the person conducting the informal hearing in making the final decision whether to deny admission;

(c) DCHA will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice is mailed, within fifteen (15) business days of the informal hearing, to the applicant and their representative, if any;

(d) If the informal hearing decision overturns the denial, processing for admission will resume;

(e) The family fails to appear for their informal hearing, the denial of admission will stand, and the family will be notified; and

(f) If the applicant fails to request an informal hearing timely, the Notice of Denial will be the final decision of DCHA. The applicant may appeal the

final decision under the rules and procedures under the D.C. Administrative Procedures Act, D.C. Code § 2–510(a) (2022).

7901.16 Persons with disabilities may request reasonable accommodations in order to participate in the informal hearing process and DCHA will consider accommodations. DCHA will also consider reasonable accommodation requests pertaining to the reasons for denial if related to the person's disability. See Chapter 61 of this Title for more detail pertaining to reasonable accommodation requests.

7902 INFORMAL HEARINGS WITH REGARD TO NONCITIZENS

7902.1 Denial or termination of assistance based on immigration status is subject to special hearing and notice rules. These special hearings are referred to in the regulations as informal hearings, but the requirements for such hearings are different from the informal hearings used to deny applicants for reasons other than immigration status.

7902.2 Assistance to a family may not be delayed, denied, or terminated on the basis of immigration status at any time prior to a decision under the United States Citizenship and Immigration Services (USCIS) appeal process.

7902.3 Assistance to a family may not be terminated or denied while DCHA hearing is pending, but assistance to an applicant may be delayed pending the completion of the informal hearing.

7902.4 A decision against a family member, issued in accordance with the USCIS appeal process or DCHA informal hearing process, does not preclude the family from exercising the right, that may otherwise be available, to seek redress directly through judicial procedures.

7902.5 As discussed in Chapters 62 and 78, the notice of denial or termination of assistance for noncitizens must advise the family of any of the following that apply:

(a) That financial assistance shall be denied or terminated and provide a brief explanation of the reasons for the proposed denial or termination of assistance;

(b) The family may be eligible for proration of assistance;

(c) In the case of a tenant, the criteria and procedures for obtaining relief under the provisions for preservation of families;

(d) That the family has a right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or explanation in support of the appeal;

(e) That the family has a right to request an informal hearing with DCHA either

upon completion of the USCIS appeal or in lieu of the USCIS appeal; and

(f) For applicants, assistance may not be delayed until the conclusion of the USCIS appeal process, but assistance may be delayed during the period of the informal hearing process.

7902.6 When DCHA receives notification that the USCIS secondary verification failed to confirm eligible immigration status, DCHA will notify the family of the results of the USCIS verification within fifteen (15) business days.

7902.7 The family will have thirty (30) days from the date of the notification to request an appeal of the USCIS results.

7902.8 The request for appeal must be made by the family in writing directly to the USCIS. The family must provide DCHA with a copy of the written request for appeal and proof of mailing within ten (10) business days of sending the request to the USCIS.

7902.9 The family must forward to the designated USCIS office any additional documentation or written explanation in support of the appeal. This material must include a copy of the USCIS document verification request (used to process the secondary request) or such other form specified by the USCIS, and a letter indicating that the family is requesting an appeal of the USCIS immigration status verification results.

7902.10 The USCIS will notify the family, with a copy to DCHA, of its decision. When the USCIS notifies DCHA of the decision, DCHA will notify the family of its right to request an informal hearing within fifteen (15) business days of receiving notice of the USCIS decision regarding the family's immigration status.

7902.11 After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, an applicant family may request that DCHA provide a hearing. The request for a hearing must be made either within thirty (30) days of receipt of DCHA notice of denial, or within thirty (30) days of receipt of the USCIS appeal decision.

7902.12 DCHA must provide an informal hearing before an impartial individual, other than a person who made or approved the decision under review, and other than a person who is a subordinate of the person who made or approved the decision.

7902.13 The family must be provided the opportunity to examine and copy at the family's expense, at a reasonable time in advance of the hearing, any documents in the possession of DCHA pertaining to the family's eligibility status, or in the possession of the USCIS (as permitted by USCIS requirements), including any records and regulations that may be relevant to the hearing.

7902.14 The family will be allowed to copy any documents related to the hearing at no cost to the family. The family must request discovery of DCHA documents no later than

three (3) business days prior to the hearing.

7902.15 DCHA will provide the family the opportunity to present evidence and arguments in support of eligible status. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

7902.16 DCHA will provide the family the opportunity to refute evidence relied upon by DCHA, and to confront and cross-examine all witnesses on whose testimony or information DCHA relies.

7902.17 The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

7902.18 The family is entitled to request an interpreter. DCHA will provide a competent interpreter, free of charge, upon request. The family may also or instead provide its own interpreter, at the expense of the family.

7902.19 The family is entitled to have the hearing recorded by audiotape. DCHA will not provide a transcript of an audio taped informal hearing.

7902.20 DCHA will provide the family with a written notice of the final decision, based solely on the facts presented at the hearing, within fourteen (14) calendar days of the date of the informal hearing. The notice will state the basis for the decision.

7902.21 DCHA will retain for a minimum of five (5) years the following documents that may have been submitted to DCHA by the family, or provided to DCHA as part of the USCIS appeal or DCHA informal hearing process:

(a) The application for assistance;

(b) The form completed by the family for income reexamination;

(c) Photocopies of any original documents, including original USCIS documents;

(d) The signed verification consent form;

(e) The USCIS verification results;

(f) The request for a USCIS appeal;

(g) The final USCIS determination;

(h) The request for an informal hearing; and

(i) The final informal hearing decision.

7902.22 After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, a resident family may request that DCHA provide a hearing. The request for a hearing must be made either within thirty (30) days of receipt of DCHA notice of termination, or within thirty (30) days of receipt of the USCIS appeal decision.

7902.23 The informal hearing procedures for resident families whose tenancy is being terminated based on immigration status is the same as for any grievance under the grievance procedures for resident families found in § 7903 below.

7903 GRIEVANCE PROCEDURES FOR PUBLIC HOUSING RESIDENTS

7903.1 DCHA's grievance procedure gives residents of public housing an opportunity to grieve any DCHA action or failure to act involving the lease or DCHA policies which adversely affect their rights, duties, welfare, or status.

7903.2 DCHA grievance procedure will be incorporated by reference in the tenant lease.

7903.3 DCHA will provide at least thirty (30) days' notice to tenants and resident organizations setting forth proposed changes in DCHA grievance procedure and provide an opportunity to present written comments. Comments submitted will be considered by DCHA before adoption of any changes to the grievance procedure by DCHA.

7903.4 Residents and resident organizations have thirty (30) calendar days from the date they are notified by DCHA of any proposed changes in the DCHA's grievance procedure, to submit written comments to DCHA.

7903.5 DCHA will furnish a copy of the grievance procedure to each tenant and to resident organizations.

7903.6 There are several terms with regard to public housing grievance procedures, which take on specific meanings different from their common usage. These terms are as follows:

(a) "Grievance" is any dispute which a head of household may have with respect to DCHA action or failure to act in accordance with the individual tenant's lease or DCHA regulations which adversely affect the individual tenant's rights, duties, welfare or status;

(b) "Complainant" is any head of household (or other adult family member as described in § 7903.10) whose grievance is presented to DCHA or at the property management office;

(c) [RESERVED];

(d) "Due Process Determination" is a determination by HUD that law of the jurisdiction requires that the tenant must be given the opportunity for a hearing in court which provides the basic elements of due process before eviction from the dwelling unit;

(e) "Elements of Due Process" are an eviction action or a termination of tenancy in a state or local court in which the following procedural safeguards are required:

(1) Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction;

(2) Right of the tenant to be represented by counsel;

(3) Opportunity for the tenant to refute the evidence presented by DCHA including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the tenant may have; or

(4) A decision on the merits;

(f) "Hearing Officer" is an impartial person or selected by DCHA, other than the person who made or approved the decision under review, or a subordinate of that person. The individual or individuals do not need legal training;

(g) "Resident Organization" includes a resident management corporation.

7903.7 The grievance procedure is applicable only to individual tenant issues relating to DCHA. It is not applicable to disputes between tenants not involving DCHA. Class grievances are not subject to the grievance procedure and the grievance procedure is not to be used as a forum for initiating or negotiating policy changes of DCHA.

7903.8 DCHA will not offer grievance hearings for lease terminations involving;

(a) Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees of DCHA;

(b) Any violent or drug-related criminal activity on or off the premises; or

(c) Any criminal activity that resulted in felony conviction of a household member.

7903.9 Chapter 78 contains related policies on the content of termination notices.

7903.10 DCHA will accept requests for a grievance from the head of household either orally or

in writing (including emailed requests), to DCHA office within six (6) months of the grievable event. In the event that the head of household no longer resides in the unit because they moved out of the unit or passed, an adult family member who resides in the unit may submit a request for grievance.

7903.11 Within fifteen (15) business days of receipt of the request, DCHA will arrange a meeting with the head of household at a mutually agreeable time and confirm such meeting in writing to the head of household to discuss informal settlement.

7903.12 The informal settlement may be conducted remotely as required by DCHA or may be conducted remotely upon consideration of the request of the tenant. Subsections 7903.33-7903.43 has additional information on how and under what circumstances remote informal settlements may be conducted.

7903.13 If the head of household fails to attend the scheduled meeting without prior notice, DCHA reschedules the appointment only if the head of household can show good cause for failing to appear, or if it is needed as a reasonable accommodation for a person with disabilities.

7903.14 "Good cause" is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

7903.15 DCHA will prepare a summary of the informal settlement within ten (10) business days with one (1) copy to be given to the head of household and one (1) copy to be retained in DCHA's tenant file.

7903.16 The summary will specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore and shall specify the procedures by which a hearing may be obtained if the complainant is not satisfied.

7903.17 The following applies to requesting a hearing after informal settlement conference:

(a) The head of household must submit a written request (including emailed requests) for a grievance hearing to DCHA's Office of Fair Hearings within fourteen (14) business days of the tenant's receipt of the summary of the informal settlement; and

(b) If the complainant does not request a hearing, DCHA's disposition of the grievance under the informal settlement process becomes final.

7903.18 The following applies to scheduling a hearing:

(a) Within fourteen (14) business days of receiving a written request for a hearing, DCHA's Office of Fair Hearings will schedule and send written notice of the hearing to both the complainant and DCHA; and

(b) If the hearing is conducted remotely, at the time the notice is sent to the complainant, the complainant will be notified:

(1) Regarding the processes involved in a remote grievance hearing;

(2) That DCHA provides technical assistance prior to and during the hearing, if needed; and

(3) That if the complainant or any individual witness has any technological, resource, or accessibility barriers, the family may inform DCHA and the Authority will assist the family in either resolving the issue or allow the family to participate in an in-person hearing, as appropriate.

7903.19 The complainant may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities.

7903.20 Requests to reschedule a hearing must be made orally or in writing prior to the hearing date.

7903.21 DCHA will require documentation of the "good cause" prior to rescheduling the hearing.

7903.22 DCHA's grievance hearings will be conducted by a single hearing officer appointed by DCHA Office of Fair Hearings (OFH). The OFH will select a hearing officer who was not involved in the decision under appeal.

7903.23 DCHA will conduct all or a portion of their grievance hearings remotely either over the phone, via video conferencing, or through other virtual platforms. If DCHA chooses to conduct remote grievance hearings, complainants may still request an in-person hearing, as applicable.

7903.24 DCHA has the sole discretion to require that hearings be conducted remotely.

7903.25 DCHA will conduct a hearing remotely upon request as a reasonable accommodation for a person with a disability, if a complainant does not have childcare or transportation that would enable them to attend the hearing, or if the complainant believes an in-person hearing would create an undue health risk. DCHA will consider other reasonable requests for a remote hearing on a case-by-case basis.

7903.26 Regardless of whether the hearing is conducted remotely (in whole or in part) or in person, DCHA will compile a hearing packet, consisting of all documents DCHA intends to produce at the hearing. DCHA delivers copies of the hearing packet to the complainant, their representatives, if any, and the hearing officer at least three (3) business days before the scheduled remote hearing. The original hearing packet

is in the possession of DCHA representative and retained by the OFH.

7903.27 Regardless of whether the hearing is to be conducted remotely (in whole or in part) or in person, DCHA will require the complainant to provide any documents directly relevant to the hearing at least three (3) business days before the scheduled hearing through the mail or email. The OFH will scan and email copies of these documents to the hearing officer and the DCHA representative the same day they are received.

7903.28 Documents will be shared electronically whenever possible.

7903.29 As with in-person grievance hearings, the platform for conducting remote grievance hearings will be accessible to persons with disabilities and the grievance hearings will be conducted in accordance with Section 504 and accessibility requirements.

7903.30 As with in-person reviews, LEP requirements also apply to remote grievance hearings, including the use of interpretation services and document translation. Chapter 61 has a thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote grievance hearings.

7903.31 As with in-person grievance hearings, DCHA will provide all materials presented, whether paper or electronic, to the family prior to the remote grievance hearing. The complainant must also be provided with an accessible means by which to transmit their own evidence.

7903.32 DCHA's essential responsibility is to ensure grievance hearings meet the requirements of due process and comply with HUD regulations. All DCHA policies and processes for remote grievance hearings are conducted in accordance with due process requirements and are in compliance with HUD regulations at 24 CFR § 966.56 and the guidance for conducting remote hearings specified in Notice PIH 2020-32.

7903.33 DCHA will conduct remote grievance hearings via a video conferencing platform, when available.

7903.34 If, after attempting to resolve any barriers, complainants are unable to adequately access the video conferencing platform at any point, or upon request, the grievance hearing will be conducted by telephone conferencing call-in.

7903.35 If the complainant is unable to adequately access the telephone conferencing call-in at any point, the remote grievance hearing will be postponed, and an in-person alternative will be provided promptly within a reasonable time.

7903.36 At least five (5) business days prior to scheduling the remote hearing, DCHA will provide the complainant with login information or conferencing call-in information and an electronic copy of all materials being presented via first class

mail or email.

7903.37 The notice in § 7903.36 will advise the family of technological requirements for the hearing and request the complainant notify DCHA of any known barriers. DCHA will resolve any barriers using the guidance in Section 6 of Notice PIH 2020-32, including offering the complainant the opportunity to attend an in-person hearing.

7903.38 DCHA will follow up with a phone call or email to the complainant at least one (1) business day prior to the remote grievance hearing to ensure that the family received all information and is comfortable accessing the video conferencing or call-in platform.

7903.39 DCHA will ensure that all electronic information stored or transmitted with respect to the grievance hearing is secure, including protecting personally identifiable information (PII), and meets the requirements for accessibility for persons with disabilities and persons with LEP.

7903.40 The complainant will be afforded a fair hearing. This includes:

(a) The opportunity to examine before the grievance hearing any DCHA documents, including records and regulations that are directly relevant to the hearing.

(b) The complainant will be allowed to copy any DCHA document at no cost. If DCHA does not make the document available for examination upon request by the complainant, DCHA may not rely on such document at the grievance hearing.

(c) Copies may be obtained from DCHA's property management office, Office of Fair Hearings, or other office designated by DCHA. There will be no charge for documents emailed. The complainant must request discovery of DCHA documents no later than 12:00 p.m. on the business day prior to the hearing.

(d) The right to be represented by counsel or other person chosen to represent the complainant, and to have such person make statements on their behalf. Hearings may be attended by the following persons:

(1) DCHA representatives including any Counsel, witnesses for DCHA, Staff members of the Office of Fair Hearings, and Security Personnel;

(2) Complainant and any witnesses for the complainant;

(3) The complainant 's counsel or other representative;

(4) Persons approved by DCHA as a reasonable accommodation for a person with a disability;

(5) Any other person approved by DCHA

(e) The right to a private hearing unless the complainant requests a public hearing;

(f) The right to present evidence and arguments in support of the head of household's complaint, to controvert evidence relied on by DCHA or property management, and to confront and cross-examine all witnesses upon whose testimony or information on which DCHA or property management relies; and

(g) A decision based solely and exclusively upon the facts presented at the hearing.

7903.41 If the complainant or DCHA fails to appear at a scheduled hearing, the hearing officer may make a determination to postpone the hearing for no more than five (5) business days or may make a determination that the party has waived their right to a hearing in their discretion. Both the complainant and DCHA must be notified of the determination by the hearing officer. Provided that a determination that the complainant has waived their right to a hearing shall not constitute a waiver of any right the complainant may have to contest DCHA's disposition of the grievance in an appropriate judicial proceeding.

7903.42 If the complainant does not appear at the scheduled time of the hearing, the hearing officer will wait up to twenty (20) minutes. If the complainant appears within twenty (20) minutes of the scheduled time, the hearing will be held. If the complainant does not arrive within twenty (20) minutes of the scheduled time, they will be considered to have failed to appear.

7903.43 If the complainant fails to appear and was unable to reschedule the hearing in advance, the complainant must contact DCHA within twenty-four (24) hours of the scheduled hearing date, excluding weekends and holidays. The hearing officer will reschedule the hearing only if the complainant can show good cause for the failure to appear, or it is needed as a reasonable accommodation for a person with disabilities.

7903.44 "Good cause" is defined as an unavoidable conflict which seriously affects the health, safety, or welfare of the family.

7903.45 At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter DCHA must sustain the burden of justifying the action or failure to act against which the complaint is directed.

7903.46 The hearing is conducted informally by the hearing officer. DCHA and the complainant will be given the opportunity to present oral or documentary evidence pertinent to the facts and issues raised by the complaint, and to question any witnesses.

7903.47 Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence:

(a) "Oral evidence": the testimony of witnesses relevant to the case;

(b) "Documentary evidence": a writing which is relevant to the case, for example, a letter written to DCHA. Writings include all forms of recorded communication or representation, including letters, emails, words, pictures, sounds, videotapes or symbols or combinations thereof;

(c) "Demonstrative evidence": Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram; and

(d) "Real evidence": A tangible item relating directly to the case.

7903.48 The following applies to hearsay evidence:

(a) Hearsay evidence is generally admissible in a hearing.

(b) "Hearsay evidence" is evidence based not on a witness' personal knowledge.

(c) The hearing officer may include hearsay evidence when considering their decision if it is corroborated by other evidence.

(d) The hearing officer shall not base a hearing decision on hearsay alone unless there is clear probative value and credibility of the evidence, and the party seeking the change has met the burden of proof.

(e) If DCHA fails to comply with the discovery requirements (providing the complainant with the opportunity to examine DCHA documents prior to the grievance hearing), the hearing officer will refuse to admit such evidence.

(f) Other than the failure of DCHA to comply with discovery requirements, the hearing officer has the authority to rule on the admissibility of all other evidence.

7903.49 If the complainant would like DCHA to record proceedings by audio recording, the request must be made to DCHA three (3) days prior to the hearing. DCHA will consider that a recording of the proceedings is a transcript.

7903.50 DCHA will provide reasonable accommodation for persons with disabilities in order to participate in the hearing in accordance with Chapter 61. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants.

7903.51 If the complainant is visually impaired, any notice to the complainant which is required in the grievance process will be in an accessible format.

7903.52 DCHA will provide language services as needed throughout the grievance process in accordance with HUD rules and District Law.

7903.53 The following applies to the Hearing Officer's decision:

(a) In rendering a written decision, the hearing officer will consider the following matters:

(1) DCHA's Notice to the Head of Household: The hearing officer will determine if the reasons for DCHA's decision are factually stated in the notice;

(2) Document Review: The hearing officer will determine if the complainant was given the opportunity to examine any relevant documents in accordance with DCHA policy;

(3) DCHA Evidence to Support DCHA's Decision: The evidence consists of the facts presented. The hearing officer will evaluate the facts to determine if they support DCHA's conclusion; and

(4) Validity of Grounds for Termination of Tenancy (when applicable): The hearing officer will determine if the termination of tenancy is for one of the grounds specified in the HUD regulations, Lease, and DCHA policies. If the grounds for termination are not specified in the regulations or in compliance with DCHA policies, then the decision of the Authority will be overturned.

(b) The hearing officer will issue a written decision to the complainant and DCHA no later than ten (10) business days after the hearing. The report will contain the following information:

(1) Hearing information: Name of the complainant; date, time and place of the hearing; name of the hearing officer; name of the DCHA representatives; name of family representative (if any); and names of witnesses (if any);

(2) Background: A brief, impartial statement of the reason for the hearing and the date(s) on which the informal settlement was held, who held it, and a summary of the results of the informal settlement. Also includes the date the complainant requested the grievance hearing;

(3) Summary of the Evidence: The hearing officer will summarize the testimony of each witness and identify any documents that a witness produced in support of their testimony and that are admitted into evidence;

(4) Findings of Fact**:** The hearing officer will include all findings of fact, based on a preponderance of the evidence. "Preponderance of the evidence" is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence;

(5) Conclusions**:** The hearing officer will render a conclusion derived from the facts that were found to be true by a preponderance of the evidence. The conclusion will result in a determination of whether these facts uphold DCHA's decision; and

(6) Order**:** The hearing report will include a statement of whether DCHA's decision is upheld or overturned. If it is overturned, the hearing officer will instruct DCHA to change the decision in accordance with the hearing officer's determination.

7903.54 The hearing officer has the authority to ask the complainant for additional information or to adjourn the hearing to reconvene at a later date, before reaching a decision.

7903.55 If the complainant misses an appointment or deadline ordered by the hearing officer, the action of DCHA will take effect and another hearing will not be granted.

7903.56 The decision of the hearing officer is binding on DCHA which must take the action, or refrain from taking the action cited in the decision unless the Executive Director determines within a reasonable time, and notifies the complainant that:

(a) The grievance does not concern DCHA action or failure to act in accordance with or involving the complainant's lease on DCHA policies which adversely affect the complainant's rights, duties, welfare, or status; or

(b) The decision of the hearing officer is contrary to federal or District law, HUD

regulations or requirements of the annual contributions contract between HUD and DCHA.

7903.57 DCHA or the complainant may challenge the decision of the hearing officer and may present their arguments on the matter to DCHA's ED in writing within ten (10) business days of the date of the hearing officer's decision.

7903.58 The ED has thirty (30) business days to consider the decision.

7903.59 If the ED decides to reverse the hearing officer's decision, s/he must notify the complainant within ten (10) business days of this decision.

7903.60 A decision by the hearing officer or the ED in favor of DCHA or which denies the relief requested by the complainant in whole or in part does not constitute a waiver of any rights, nor effect in any manner whatever, any rights the complainant may have to a subsequent trial or judicial review.

Chapter 80, [RESERVED], of Title 14 DCMR, HOUSING, is renamed and replaced in its entirety to read as follows:

CHAPTER 80 PROGRAM INTEGRITY

8000 INTRODUCTION

8000.1 Section 8000 covers DCHA policies designed to prevent, detect, investigate, and resolve instances of program abuse or fraud. It also describes the actions that are taken in the case of unintentional errors and omissions.

8001 PREVENTING, DETECTING, AND INVESTIGATING ERRORS AND PROGRAM ABUSE

8001.1 DCHA will use the Enterprise Income Verification (EIV) system provided by HUD for preventing errors and program abuse, as available. DCHA will:

(a) Provide applicants and residents with form HUD-52675, "Debts Owed to PHAs and Terminations"; and

(b) Require all adult members of an applicant or participant family to acknowledge receipt of form HUD-52675 by signing a copy of the form for retention in the family file.

8001.2 To ensure that DCHA's program is administered effectively and according to the highest ethical and legal standards, DCHA will employ a variety of techniques to ensure that both errors and intentional program abuse are rare, including:

(a) Routinely provide resident counseling as part of every reexamination

interview in order to clarify any confusion pertaining to program rules and requirements;

(b) Encourage staff to review and explain as needed the contents of HUD and DCHA required forms prior to requesting family member signatures;

(c) Place a warning statement about the penalties for fraud (as described in 18 U.S.C. 1001 and 1010) on key DCHA forms and form letters that request information from a family member;

(d) Provide each applicant and resident with copies of HUD leaflets encouraging compliance with program requirements;

(e) Provide each DCHA employee with training on program rules, including income and rent calculation among other areas, and the organization's standards of conduct and ethics; and

(f) Develop and implement quality control procedures for reviewing income and rent determinations, including calculation and verification.

8001.3 For purposes of this Chapter, the term "error" refers to an unintentional error or omission. "Program abuse" or "fraud" refers to a single act or pattern of actions that constitute a false statement, omission, or concealment of a substantial fact, made with the intent to deceive or mislead.

8001.4 DCHA will employ a variety of methods to detect errors and program abuse, including:

(a) Use EIV and other non-HUD sources of up-front income verification, when available. This includes third-party verification companies and any other private or public databases available to DCHA;

(b) At each reexamination, current information provided by the family may be compared to information provided at the last reexamination to identify inconsistencies and incomplete information; and

(c) DCHA will compare family-reported income and expenditures to detect possible unreported income.

8001.5 DCHA will conduct an independent annual audit in compliance with HUD requirements. DCHA will use the results of an independent audit, or HUD monitoring reports, to identify potential program abuses as well as to assess the effectiveness of DCHA's error detection and abuse prevention efforts.

8001.6 DCHA will encourage staff, residents, and the public to report possible program

abuse.

8001.7 DCHA will review all referrals, specific allegations, complaints, and tips from any source including other agencies, companies, and individuals, to determine if they warrant investigation.

(a) In order for DCHA to investigate, the allegation must contain at least one independently verifiable item of information, such as the name of an employer or the name of an unauthorized household member.

(b) DCHA will investigate when inconsistent or contradictory information is detected through file reviews and the verification process, and may use all available DCHA and public records.

8001.8 DCHA will base its evaluation of investigatory conclusions (that is, the results of DCHA's investigation) on a preponderance of the evidence collected during its investigation. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

(a) "Preponderance of the evidence" is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence that shows that the fact sought to be proved is more probable than not. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

(b) For each investigation, DCHA will make a determination of:

(1) Whether an error or program abuse has occurred;

(2) Whether any amount of money is owed to DCHA;

(3) Whether any amount of money is owed to the resident; and

(4) What corrective measures or penalties are to be assessed.

8001.9 DCHA may, at its discretion, seek to enforce other corrective actions and penalties if available.

8001.10 In the case of family-caused errors or program abuse, DCHA takes into consideration:

(a) The seriousness of the offense and the extent of participation or culpability of individual family members;

(b) Any special circumstances surrounding the case;

(c) Any mitigating circumstances related to the disability of a family member; and

(d) The effects of a particular remedy on family members who were not involved in the offense.

8001.11 DCHA will inform the relevant party in writing of its findings and remedies within thirty (30) days of the conclusion of an investigation. The notice will include:

(a) A description of the error or program abuse;

(b) The basis on which DCHA determined the error or program abuses;

(c) The remedies to be employed; and

(d) The family's right to appeal the results through an informal hearing or grievance hearing.

8002 CORRECTIVE MEASURES AND PENALTIES

8002.1 [RESERVED]

8002.2 [RESERVED]

8002.3 Whether the incorrect rental determination is an overpayment or underpayment, DCHA will promptly correct the tenant rent.

8002.4 The following applies to changes in rent:

(a) An increase in the tenant rent is implemented on the first day of the next month following a written thirty (30) day notice.

(b) A decrease in tenant rent becomes effective on the first (1st) of the month following the discovery of the error.

8002.5 [RESERVED]

8002.6 An incorrect rent determination caused by a family generally would be the result of incorrect reporting of family composition, income, assets, expenses, or other relevant criteria, but also would include instances in which a member of the participant family knowingly allows DCHA to use incorrect information provided by a third party.

8002.7 In the case of family-caused errors or program abuse, the family is required to repay all amounts of rent underpaid. DCHA may, but is not required to, offer the family a repayment agreement in accordance with Chapter 81. If the family fails to repay

the amount owed, DCHA may terminate the family's lease in accordance with the policies in Chapter 78.

8002.8 DCHA will not reimburse a family for any overpayment of rent when the overpayment clearly is caused by the family.

8002.9 An applicant or resident in the public housing program must not knowingly:

(a) Make a false statement to DCHA;

(b) Provide incomplete or false information to DCHA; or

(c) Commit fraud or make false statements in connection with an application for assistance or with reexamination of income.

8002.10 Any of the following is considered evidence of family program abuse:

(a) Offering bribes or illegal gratuities to the DCHA Board of Commissioners, employees, contractors, or other DCHA representatives;

(b) Offering payments or other incentives to a third party as an inducement for the third party to make false or misleading statements to DCHA on the family's behalf;

(c) Use of a false name or the use of falsified, forged, or altered documents;

(d) Intentional misreporting of family information or circumstances (e.g., misreporting of income or family composition);

(e) Omitted facts that were obviously known by a family member (e.g., not reporting employment or other types of relevant income); and

(f) Admission of program abuse by an adult family member.

DCHA may determine other actions to be program abuse based upon a preponderance of the evidence, as defined earlier in this Chapter 80.

8002.11 In the case of program abuse caused by a family, DCHA may, at its discretion, impose any of the following remedies (in addition to other remedies available to DCHA):

(a) Require the family to repay any amounts owed to the program;

(b) Require, as a condition of receiving or continuing assistance, that a culpable family member not reside in the unit in conformance with the policies in Chapter 62 (for applicants) and Chapter 78 (for residents);

(c) Deny admission or terminate the family's lease following the policies set forth in Chapter 62 and Chapter 78 respectively; or

(d) Refer the family for state or federal criminal prosecution.

8002.12 DCHA-caused incorrect rental determinations include:

(a) Failing to correctly apply public housing rules regarding family composition, income, assets, and expenses; and

(b) Errors in calculation.

8002.13 DCHA will not be considered out of compliance when making annual income determinations solely due to de minimis errors in calculating family income. A "de minimis error" is an error where DCHA's determination of family income deviates from the correct income determination by no more than Thirty Dollars ($30) per month in monthly adjusted income ($360 in annual adjusted income) per family.

8002.14 DCHA will still take any corrective action necessary to credit or repay a family if the family has been overcharged for their rent as a result of the de minimis error in the income determination, but families will not be required to repay DCHA in instances where DCHA has miscalculated income resulting in a family being undercharged for rent.

8002.15 A family is not required to repay an underpayment of rent if the error or program abuse is caused by DCHA staff.

8002.16 DCHA will reimburse a family for any overpayment of rent if the overpayment is the result of DCHA error or staff program abuse.

8002.17 Any of the following may be considered evidence of program abuse by DCHA staff:

(a) Failing to comply with any public housing program requirements for personal gain;

(b) Failing to comply with any public housing program requirements as a result of a conflict-of-interest relationship with any applicant or resident;

(c) Seeking or accepting anything of material value from applicants, residents, vendors, contractors, or other persons who provide services or materials to DCHA;

(d) Disclosing confidential or proprietary information to outside parties;

(e) Gaining profit because of insider knowledge of DCHA activities, policies,

or practices;

(f) Misappropriating or misusing public housing funds;

(g) Destroying, concealing, removing, or inappropriately using any records related to the public housing program;

(h) Committing any other corrupt or criminal act in connection with any federal housing program;

(i) Committing sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment;

(j) Allowing sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment, where DCHA knew or should have known such harassment was occurring;

(k) Retaliating against any applicant, resident, or staff reporting sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment; and

(l) Other activities cited in the DC Human Rights Act locally administered by the Office of Human Rights (OHR).

8002.18 When DCHA determines that program abuse by a family or DCHA staff member has occurred and the amount of underpaid rent meets or exceeds the threshold for prosecution under local or state law, DCHA may refer the matter to an appropriate entity for prosecution. When the amount of underpaid rent meets or exceeds the federal threshold, the case will also be referred to the HUD Office of Inspector General.

Other criminal violations related to the public housing program will be referred to the appropriate local, state, or federal entity.

8002.19 Notwithstanding other provisions of this chapter, DCHA may, in its sole discretion, delegate the investigation to a third party in which the third party will follow their own investigatory procedures.

8002.20 A participant accused of or subject to an investigation involving suspected program error, fraud, or abuse, will be afforded the opportunity for a hearing through

DCHA's grievance process.

Chapter 81, RENTAL SUBSIDY PROGRAMS: HOUSING QUALITY STANDARDS AND INSPECTIONS, of Title 14 DCMR, HOUSING, is deleted, renamed, and replaced in its entirety to read as follows:

CHAPTER 81 PROGRAM ADMINISTRATION

8100 INTRODUCTION

8100.1 Section 8100 discusses administrative policies and practices that are relevant to the activities covered in this ACOP. The policies are discussed in seven (7) parts as described below:

(a) Section 8101 describes DCHA's policies for establishing and revising utility allowances, and surcharges for excess consumption of DCHA furnished utilities;

(b) Section 8102 describes DCHA's policies related to establishing and updating flat rent amounts;

(c) Section 8103 contains DCHA's policies for recovering monies that have been underpaid by families and describes the circumstances under which DCHA offers repayment agreements to families and the consequences for failure to make payments in accordance with a repayment agreement;

(d) Section 8105 outlines the privacy rights of applicants and residents and record retention policies that DCHA follows;

(e) Section 8106 describes DCHA's reporting responsibilities related to children with elevated blood lead levels that reside in public housing; and

(f) Section 8107 contains key terms used in the Violence Against Women Act (VAWA) and describes requirements related to notifying families about their rights and responsibilities under VAWA; requesting documentation from victims of domestic violence, dating violence, sexual assault, and/or stalking; and maintaining the confidentiality of information obtained from victims.

8101 SETTING UTILITY ALLOWANCES

8101.1 [RESERVED].

8101.2 [RESERVED].

8101.3 DCHA furnishes utilities for DCHA-owned and operated public housing properties.

8101.4 DCHA will maintain a record that documents the basis on which utility allowances and scheduled surcharges are established and revised, and the record shall be made available for inspection by residents upon request.

8101.5 DCHA will establish separate allowances for each utility and for each category of dwelling units DCHA determines to be reasonably comparable as to factors affecting utility usage.

8101.6 [RESERVED]

8101.7 Utilities shall include gas, electricity, fuel for heating, water, sewerage, and solid waste disposal for a dwelling unit.

8101.8 [RESERVED].

8101.9 [RESERVED]

8101.10 [RESERVED].

8101.11 DCHA will review annually the basis on which utility allowances have been established and revise the allowances, if necessary, in order to adhere to the standards for establishing utility allowances that are contained in 24 CFR § 965.505. The review will include substantial changes in the physical condition of the building including DCHA's completion of modernization or other energy conservation measures implemented by DCHA indicating probability of a significant change in reasonable requirements and changes in utility rates.

8101.12 Between annual reviews of utility allowances, DCHA will only revise its utility allowances when required by changes in federal or local law.

8101.13 [RESERVED].

8101.14 [RESERVED]

8101.15 DCHA will give notice to all residents of proposed allowances and scheduled surcharges, and revisions thereof. The notice must be given in the manner provided in the lease and must:

(a) Be provided at least sixty (60) days before the proposed effective date of the allowances, scheduled surcharges, or revisions;

(b) Describe the basis for determination of the allowances, scheduled surcharges, or revisions, including a statement of the specific items of equipment and function whose utility consumption requirements were

included in determining the amounts of the allowances and schedule of surcharges;

(c) Notify residents of the place where DCHA's documentation on which allowances and surcharges are based is available for inspection; and

(d) Provide all residents an opportunity to submit written comments during a period expiring not less than thirty (30) days before the proposed effective date of the allowances, scheduled surcharges, or revisions.

8101.16 On request from a family, DCHA may approve a utility allowance that is higher than the applicable amount for the dwelling unit if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family with a disability. DCHA may grant an exemption from the excess utility surcharge for resident-supplied appliances as a reasonable accommodation to residents with disabilities if there is a verified need for special equipment because of the disability.

8101.17 [RESERVED]

8102 ESTABLISHING FLAT RENTS

8102.1 [RESERVED]

8102.2 [RESERVED]

8102.3 For areas where HUD has not determined a SAFMR or an unadjusted rent, DCHA will set flat rents at no less than eighty percent (80%) of the FMR or apply for an exception flat rent.

8102.4 [RESERVED]

8102.5 [RESERVED]

8102.6 DCHA will apply a utility allowance to flat rents as necessary. Flat rents set at eighty percent (80%) of the FMR must be reduced by the amount of the unit's utility allowance, if any.

8102.7 No later than ninety (90) days after the effective date of the new annual FMRs/SAFMRs/unadjusted rent, DCHA will implement new flat rents as necessary based changes to the FMR/SAFMR/unadjusted rent or request an exception.

8102.8 [RESERVED]

8102.9 DCHA will update flat rents as follows:

(a) If the FMR/SAFMR/unadjusted rent is lower than the previous year, DCHA will reduce flat rents to eighty percent (80%) of the current FMR/SAFMR.

(b) DCHA will apply updated flat rents at each family's next reexamination or flat rent update after implementation of the new flat rents.

(c) DCHA will publicly post the schedule of flat rents in a conspicuous manner in the applicable DCHA and in the property management office.

8102.10 DCHA will maintain records that document the method used to determine flat rents, and that show how flat rents were determined by DCHA in accordance with this method.

8103 FAMILY DEBTS TO DCHA

8103.1 Families are required to reimburse DCHA if they were charged less rent than required because the family either underreported or failed to report income. DCHA will determine retroactive rent amount as far back as DCHA has documentation of family unreported income.

8103.2 When an action or inaction of a resident family results in the underpayment of rent or other amounts, DCHA holds the family liable to return any underpayments to DCHA.

8103.3 DCHA will enter into repayment agreements in accordance with the policies contained in this section to recover overpayments.

8103.4 Any amount owed to DCHA by a public housing family must be repaid. If the family is unable to repay the debt within thirty (30) days, DCHA will offer to enter into a repayment agreement in accordance with the policies below.

8103.5 If the family refuses to repay the debt, does not enter into a repayment agreement, or breaches a repayment agreement, DCHA will terminate the family's tenancy in accordance with the ACOP and District of Columbia law.

8103.6 When a family refuses to repay monies owed to DCHA, in addition to termination of program assistance, DCHA may utilize other available collection alternatives including, but not limited to, the following:

(a) Collection agencies;

(b) Small claims court;

(c) Civil lawsuit; or

(d) State income tax set-off program.

8103.7 The term "repayment agreement" refers to a formal written document signed by a tenant and provided to DCHA in which a tenant acknowledges a debt in a specific amount and agrees to repay the amount due at specific time periods.

8103.8 Before executing a repayment agreement with a family, DCHA generally requires a down payment of twenty-five percent (25%) of the total amount owed. If the family can provide evidence satisfactory to DCHA that a down payment of twenty-five percent (25%) would impose an undue hardship, DCHA may, in its sole discretion, require a lesser percentage or waive the requirement.

8103.9 DCHA will determine the repayment agreement monthly payment in accordance with the following:

(a) If a family is paying less than forty percent (40%) of its monthly adjusted income (MAI) in rent, the minimum monthly payment amount is:

(1) The difference between forty percent (40%) of the family's MAI; and

(2) The Total Tenant Payment (TTP) at the time the agreement is executed.

(b) If a family can provide evidence satisfactory to DCHA that the monthly payment amount would impose an undue hardship, DCHA may, in its sole discretion, require a lower monthly payment amount; and

(c) If the family's income increases or decreases during the term of a repayment agreement, either DCHA or the family may request that the monthly payment amount be adjusted accordingly.

8103.10 Any repayment agreement between DCHA and a family will be in writing, signed, and dated by DCHA and by the head of household and spouse or co-head (if applicable).

8103.11 All payments are due by the close of business on the fifteenth (15th) day of the month. If the fifteenth (15th) does not fall on a business day, the due date is the close of business on the first business day after the fifteenth (15th).

8103.12 Repayment agreement payments must be made in accordance with the following:

(a) If a payment is not received by the end of the business day on the date due, and prior approval for the missed payment has not been given by DCHA, DCHA will send the family a delinquency notice giving the family ten (10) business days to make the late payment. If the payment is not received by the due date of the delinquency notice, it shall be considered a breach of the

agreement and DCHA shall terminate tenancy in accordance with the policies in Chapter 78; and

(b) If a family receives three (3) delinquency notices for unexcused late payments in a twelve (12) month period, the repayment agreement will be considered in default, and DCHA shall terminate tenancy in accordance with the policies in Chapter 78.

8103.13 DCHA generally will not enter into a repayment agreement with a family if there is already a repayment agreement in place with the family, or if the amount owed by the family exceeds the federal or District threshold for criminal prosecution.

8103.14 All repayment agreements will include the total retroactive rent amount owed, amount of down payment made at time of execution, the monthly repayment amount, and the following:

(a) A reference to the items in the public housing lease that state the family's obligation to provide true and complete information at every reexamination and the grounds on which DCHA may terminate assistance because of a family's action or failure to act;

(b) A statement clarifying that each month the family not only must pay to DCHA the monthly payment amount specified in the agreement but must also pay to DCHA the monthly tenant rent;

(c) A statement that the terms of the repayment agreement may be renegotiated if the family's income decreases or increases; and

(d) A statement that late or missed payments constitute default of the repayment agreement and may result in termination of tenancy.

8104 [RESERVED]

8104.1 [RESERVED]

8104.2 [RESERVED]

8105 RECORD KEEPING

8105.1 DCHA will maintain records as follows:

(a) DCHA will keep at least the last three (3) years of the Form HUD-50058 and supporting documentation, and for at least three (3) years after end of participation all documents related to a family's eligibility, tenancy, and termination;

(b) DCHA will keep Enterprise Income Verification (EIV) system Income Reports in the tenant file for the duration of the tenancy and for three (3) years from the end of participation date.

(c) In addition, DCHA will keep the following records for at least three (3) years:

(1) An application from each ineligible family and notice that the applicant is not eligible;

(2) Lead-based paint records as required by 24 CFR 35, Subpart B;

(3) Documentation supporting the establishment of flat rents;

(4) Documentation supporting the establishment of utility allowances and surcharges;

(5) Accounts and other records supporting DCHA budget and financial statements for the program;

(6) Complaints, investigations, notices, and corrective actions related to violations of the Fair Housing Act or the equal access final rule;

(7) Confidential records of all emergency transfers related to VAWA requested under DCHA's Emergency Transfer Plan and the outcomes of such requests; and

(8) Other records as determined by DCHA or as required by HUD.

(d) If a hearing to establish a family's citizenship status is held, longer retention requirements apply for some types of documents in accordance with Chapter 79 of this Title.

8105.2 Records will be kept in accordance with the following:

(a) All applicant and participant information will be kept in a secure location and access will be limited to authorized DCHA staff on an as-needed basis only; and

(b) DCHA staff will not discuss personal family information unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

8105.3 The collection, maintenance, use, and dissemination of Social Security numbers (SSNs), employer identification numbers (EINs), any information derived from

these numbers, and income information of applicants and participants will be conducted, to the extent applicable, in compliance with the Privacy Act of 1974, and all other provisions of Federal and District of Columbia law.

8105.4 [RESERVED]

8105.5 DCHA will follow EIV security procedures required by HUD.

8105.6 DCHA will only disclose the criminal conviction records which DCHA receives from a law enforcement agency to officers or employees of DCHA, or to authorized representatives of DCHA who have a job-related need to have access to the information.

8105.7 DCHA will implement a system of records management that ensures that any criminal record received by DCHA from a law enforcement agency is maintained confidentially, not misused or improperly disseminated, and destroyed, once the purpose for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the DCHA action without institution of a challenge or final disposition of any such litigation.

8105.8 DCHA will implement a system of records management that ensures that any sex offender registration information received by DCHA from a State or local agency is maintained confidentially, not misused or improperly disseminated, and destroyed, once the purpose for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the DCHA action without institution of a challenge or final disposition of any such litigation. However, a record of the screening, including the type of screening and the date performed shall be retained. This requirement does not apply to information that is public information, or is obtained by DCHA other than under 24 CFR § 5.905.

8105.9 DCHA is not permitted to inquire about the nature or extent of a person's disability. DCHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If DCHA receives a verification document that provides such information, DCHA will not place this information in the tenant file. DCHA will destroy the document.

8105.10 For requirements and DCHA's policies related to management of documentation obtained from victims of domestic violence, dating violence, sexual assault, and/or stalking, see § 8107.

8106 REPORTING REQUIREMENTS FOR CHILDREN WITH ELEVATED BLOOD LEAD LEVEL

8106.1 DCHA will provide the public health department written notice of the address of any child identified as having an elevated blood lead level.

8106.2 DCHA will provide written notice of the address of a child identified and verified as having an elevated blood lead level (EBLL) to the HUD field office, to HUD's Office of Lead Hazard Control (OLHCHH), and the District of Columbia Department of Energy and Environment (DOEE) within five (5) business days of receiving the information.

8106.3 DCHA will comply with the requirements set forth in the regulations at 24 CFR § 35.1130 to reduce the lead paint hazard.

8107 VIOLENCE AGAINST WOMEN ACT (VAWA): NOTIFICATION, DOCUMENTATION, AND CONFIDENTIALITY

8107.1 The Violence against Women Reauthorization Act of 2022 (VAWA) provides special protections for victims of domestic violence, dating violence, sexual assault, or stalking who are public housing applicants or residents. The purpose of § 8107 is to help ensure that all actual and potential beneficiaries of DCHA's public housing program are aware of their rights under VAWA.

8107.2 VAWA protections are available to victims of domestic violence, dating violence, sexual assault, and/or stalking without regard to sex, gender identity, sexual orientation, race, color, national origin, religion, familial status, disability, or age.

8107.3 In addition to definitions of key terms used in VAWA, § 8107 contains general VAWA requirements and DCHA's policies in three areas: notification, documentation, and confidentiality.

8107.4 As used in VAWA:

(a) The term "affiliated individual" means, with respect to a person:

(1) A spouse, parent, brother or sister, or child of that individual, or an individual to whom that person stands in the position or place of a parent; or

(2) Any individual, tenant or lawful occupant living in the household of the victim of domestic violence, dating violence, sexual assault, or stalking;

(b) The term "bifurcate" means, with respect to a public housing lease, to divide a lease as a matter of law such that certain tenants can be evicted or removed while the remaining family members' lease and occupancy rights are allowed to remain intact;

(c) The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship is determined based

on a consideration of the following factors:

(1) The length of the relationship;

(2) The type of relationship; and

(3) The frequency of interaction between the persons involved in the relationship;

(d) The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding, and in the case of victim services, includes the user or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who is:

(1) The current or former spouse or intimate partner of the victim, or person similarly situated to a spouse or intimate partner of the victim;

(2) A person who is cohabitating or has cohabitated with the victim as a spouse or intimate partner;

(3) A person with whom the victim shares a child in common; and

(4) A person who commits acts against a youth or adult victim who is protected from those acts under the domestic or family violence laws of the jurisdiction.

(e) The term "economic abuse" means behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, and manipulation to:

(1) Restrict a person's access to money, assets, credit, or financial information;

(2) Unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; and

(3) Exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship,

or conservatorship, or to whom one has a fiduciary duty;

(f) The term "sexual assault" means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks the capacity to consent;

(g) The term "stalking" means to engage in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress; and

(h) The term "technological abuse" means an act or pattern of behavior that occurs within domestic violence, dating violence, sexual assault, and/or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor another person, except as otherwise permitted by law, that occurs using any form of technology, including but not limited to:

(1) Internet enabled devices;
(2) Online spaces and platforms;
(3) Computers;
(4) Mobile devices;
(5) Cameras and imaging programs;
(6) Apps;
(7) Location tracking devices;
(8) Communication technologies, or
(9) Any other emergency technologies.

8107.5 DCHA will post the following information regarding VAWA in its offices and on its website. It shall also make the information readily available to anyone who requests it:

(a) A notice of occupancy rights under VAWA to public housing program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (Form HUD-5380);

(b) A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation;

(c) A copy of DCHA's emergency transfer plan;

(d) A copy of HUD's Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, form HUD-5383;

(e) The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800787-3224 (TTY); and

(f) Contact information for local victim advocacy groups or service providers.

8107.6 DCHA will provide the notice of occupancy rights under VAWA, along with the VAWA self-certification form (HUD-5382), as follows:

(a) The VAWA information provided to applicants and tenants will consist of the notices specified in §§ 8107.5(a) and 8107.6;

(b) DCHA will provide all applicants with information about VAWA at the time they request an application for housing assistance. DCHA will also include such information in all notices of denial of assistance; and

(c) DCHA will provide all tenants with information about VAWA at the time of admission and at reexamination. DCHA will also include such information in all lease termination notices.

8107.7 DCHA's alternative methods of communicating with the VAWA victim include the following:

(a) Whenever DCHA has reason to suspect that providing information about VAWA to a public housing tenant might place a victim of domestic violence at risk, DCHA will attempt to deliver the information by other means, i.e., by hand directly to the victim, email, or by having the victim come to an office or other space that may be safer for the individual, making reasonable accommodations as necessary. DCHA may decide not to send mail regarding VAWA protections to the victim's unit if DCHA believes the perpetrator may have access to the victim's mail, unless requested by the victim;

(b) When discussing VAWA with the victim, DCHA will take reasonable precautions to ensure that no one can overhear the conversation such as having conversations in a private room; and

(c) The victim may, but is not required to, designate an attorney, advocate, or other secure contact for communications regarding VAWA protections. The victim must provide to DCHA an authorization to release information to the designee.

8107.8 If a tenant or applicant requests protections under VAWA, DCHA will request in writing that the tenant provide documentation in accordance with § 8107.

(a) Any request for documentation of domestic violence, dating violence, sexual assault, and/or stalking shall be in writing, shall specify a deadline of 30 calendar days following receipt of the request, will describe the three forms of acceptable documentation, will provide explicit instructions on

where and to whom the documentation must be submitted, and will state the consequences for failure to submit the documentation or request an extension in writing by the deadline;

(b) DCHA may, in its discretion, extend the deadline for ten (10) business days. In determining whether to extend the deadline, DCHA shall consider factors that may contribute to the victim's inability to provide documentation in a timely manner, including cognitive limitations, disabilities, limited English proficiency, absence from the unit, administrative delays, the danger of further violence, and the victim's need to address health or safety issues. Any extension granted by DCHA will be in writing.

(c) If the tenant or applicant fails to provide the documentation within 30 calendar days from the date of receipt of the written request for documentation, or such longer time as permitted in § 8107.8(b), DCHA may deny relief for protection under VAWA.

8107.9 The individual may satisfy DCHA's request by providing any one of the following three (3) forms of documentation:

(a) A completed and signed HUD-approved certification form (HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking) or comparable report or document providing the required information, which must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim. The form may be filled out and submitted on behalf of the victim;

(b) A federal, state, tribal, territorial, or local police report or court record, or an administrative record that documents the incident of domestic violence, dating violence, sexual assault, or stalking (i.e., police reports, protective orders, and restraining orders); or

(c) Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault, and/or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; a mental health professional; or a medical professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

8107.10 DCHA will not require third-party documentation in addition to the HUD-approved certification form, except in instances of conflicting documentation.

8107.11 Once the victim provides documentation, DCHA shall acknowledge receipt of the documentation.

8107.12 If presented with conflicting certification documents from members of the same household, DCHA will attempt to determine which is the true victim by requiring each of them to provide third-party documentation in accordance with § 8107.9(b)-(c). When requesting third-party documents, DCHA shall provide contact information for local domestic violence and legal aid offices. In such cases, applicants or tenants will be given thirty (30) calendar days from the date of the request to provide such documentation.

8107.13 If DCHA does not receive third-party documentation within the required timeframe (and any extensions), DCHA will deny VAWA protections and shall notify the applicant or tenant in writing of the denial. If, as a result, the applicant or tenant is denied or terminated from the program, DCHA will hold separate hearings for the applicants or tenants.

8107.14 If DCHA receives third-party documentation within the required timeframe, the documentation will be reviewed by DCHA's VAWA panel and a recommendation shall be made to the program for final determination.

8107.15 Generally, DCHA will require documentation of abuse as outlined § 8107.9. If DCHA accepts an individual's statement or other corroborating evidence of domestic violence, dating violence, sexual assault, or stalking, DCHA will document acceptance of the individual's statement or evidence.

8107.16 All information provided to DCHA regarding domestic violence, dating violence, sexual assault, or stalking, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, will be retained in confidence.

8107.17 With respect to the information in § 8107.16, DCHA will not:

(a) Enter the information into any shared database;

(b) Allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for purposes of their work; and

(c) Provide the information to any other entity or individual, except to the extent that the disclosure is:

(1) Requested or consented to by the individual in writing in a time-limited release,

(2) Required for use in an eviction proceeding; or

(3) Otherwise required by applicable law.

8107.18 If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, DCHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

All persons desiring to comment on these proposed rules must submit comments in writing, no later than thirty (30) days after the date of publication of this notice in the *District of Columbia Register*, to the following: District of Columbia Housing Authority, Office of the General Counsel, 300 7th Street, SW, Washington, D.C. 20024 or in the alternative to email comments to PublicationComments@dchousing.org. Copies of these proposed regulations may be obtained without charge at the above-described address.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2026-029
February 19, 2026

SUBJECT: Appointments — Board of Trustees of the University of the District of Columbia

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) 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), pursuant to section 201 of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974, 88 Stat. 1424, Pub. L. 93-471, D.C. Official Code § 38-1202.01, pursuant to the Board of Trustees of the University of the District of Columbia Albert Cacozza Confirmation Resolution of 2026, effective February 3, 2026, Resolution 26-0313, pursuant to the Board of Trustees of the University of the District of Columbia Amy Laitinen Confirmation Resolution of 2026, effective February 3, 2026, Resolution 26-0312, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01, it is hereby **ORDERED** that:

1. **ALBERT CACOZZA** is appointed as a member of the Board of Trustees of the University of the District of Columbia (the "Board"), filling a vacant seat formerly held by Mignon Clyburn, for the remainder of an unexpired term to end May 15, 2029.

2. **AMY LAITINEN** is appointed as a member of the Board, filling a vacant seat formerly held by Christopher Bell, for the remainder of an unexpired term to end May 15, 2030.

3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to February 3, 2026.

MURIEL BOWSER
MAYOR

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2026-030
February 19, 2026

SUBJECT: Reappointment — Combat Sports Commission

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), pursuant to section 5 of the Boxing and Wrestling Commission Act of 1975, effective October 8, 1975, D.C. Law 1-20, D.C. Official Code § 3-604, pursuant to the Combat Sports Commission Shawn Townsend Confirmation Resolution of 2025, effective February 9, 2026, Proposed Resolution 26-0443, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01, it is hereby **ORDERED** that:

1. **SHAWN TOWNSEND** is reappointed as a member of the Combat Sports Commission, for a term to end January 5, 2029.

2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to February 9, 2026.

MURIEL BOWSER
MAYOR

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2026-031
February 19, 2026

SUBJECT: Reappointments and Appointments — Healthy Youth and Schools Commission

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 pursuant to section 702 of the Healthy Schools Act of 2010, effective July 27, 2010, D.C. Law 18-209, D.C. Official Code § 38-827.02, it is hereby **ORDERED** that:

1. The following persons are reappointed as public members of the Healthy Youth and Schools Commission ("Commission"), for terms to end May 1, 2028.

   a. **DARIEN THOMAS**; and
   b. **JESSICA KIRCHNER**.

2. **DIANA BRUCE** is reappointed as a public member of the Commission, for a term to end May 1, 2027.

3. **ALEXIS LAHR** is appointed as a public member of the Commission, filling a vacant seat formerly held by Danielle Dooley, for the remainder of an unexpired term to end May 1, 2027.

4. **REBECCA HARNIK** is appointed as a public member of the Commission, filling a vacant seat formerly held by Noemie Durand, for the remainder of an unexpired term to end May 1, 2026.

5. **DR. CHARNETA SCOTT**, is reappointed as the representative of the Department of Behavioral Health member of the Commission and shall serve at the pleasure of the Mayor.

6. **RACHEL SADLON**, is appointed as the representative of the Office of the State Superintendent member of the Commission, replacing Tia Brumsted, and shall serve at the pleasure of the Mayor.

7. **TREEMANISHA STEWART**, is appointed as the representative of the Department of Health member of the Commission, replacing Lori Garibay, and shall serve at the pleasure of the Mayor.

8. **DIANA BRUCE** is appointed as Chairperson of the Commission, filling a vacant seat formerly held by Kristy McCarron, and shall serve in that capacity at the pleasure of the Mayor.

9. **EFFECTIVE DATE:** Paragraph 5 shall be *nunc pro tunc* to May 1, 2012. The remainder of this Order shall become effective immediately.

MURIEL BOWSER
MAYOR

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2026-032
February 20, 2026

SUBJECT: Appointment — Interim Director, Office of Disability Rights

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 pursuant to section 4 of the Disability Rights Protection Act of 2006, effective March 8, 2007, D.C. Law 16-239, D.C. Official Code § 2-1431.03(c), it is hereby **ORDERED** that:

1. **PETER STEPHAN** is appointed as Interim Director of the Office of Disability Rights and shall serve in that capacity at the pleasure of the Mayor.

2. This Order supersedes Mayor's Order 2018-014, dated January 18, 2018.

3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to February 6, 2026.

MURIEL BOWSER
MAYOR

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2026-033
February 20, 2026

SUBJECT: Reappointments — Commission on Climate Change and Resiliency

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 section 3 of the Commission on Climate Change and Resiliency Establishment Act of 2016, effective February 18, 2017, D.C. Law 21-185, D.C. Official Code § 8-181.02, it is hereby **ORDERED** that:

1. The following individuals are reappointed to the Commission on Climate Change and Resiliency, for terms to end May 25, 2028:

   a. **UWE BRANDES**, as a natural resources member;
   b. **MAUREEN HOLMAN**, as an environmental science member; and
   c. **PEGGY KELLER**, as a public health member.

2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to May 25, 2025.

MURIEL BOWSER
MAYOR

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

OFFICE OF ADMINISTRATIVE HEARINGS

DISTRICT OF COLUMBIA ADVISORY COMMITTEE

NOTICE OF PUBLIC MEETING

In accordance with D.C. Code § 2-576(1), the Advisory Committee to the Office of Administrative Hearings hereby gives notice that it will meet on Thursday, March 19, 2026, at 1:30 pm. The meeting is in-person only and will be held at the following location:

Potomac Room
Marion S. Barry Building
441 Fourth Street, NW, Suite 450N (North side of 4th Fl.)
Washington, DC 20001

MEETING AGENDA

1. Welcome and Call to Order Introductions
2. Remarks from the Chief ALJ
    a. Update on staffing and vacancies;
    b. Key case/decisions update;
    c. Tech updates;
    d. Trend lines on new case filings/backlogs; and
    e. Other key issues.
3. Open Microphone from Agency GCs and ALJs
4. Open Microphone from Other Members of the Public (time permitting)
5. Old Business
6. New Business
7. Adjournment

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.

For more information, please contact Lisa Brannock, Executive Assistant, at (202) 724-7681 or lisa.brannock@dc.gov.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF MEETING
CANCELLATION AGENDA

WEDNESDAY, MARCH 4, 2026
899 NORTH CAPITOL STREET, N.E., SUITE 4200-B, WASHINGTON, DC 20002

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

1) ABRA-060706 – **Logan Tavern –** Retail – C – Restaurant – 1423 P Street NW
[Licensee is Out of Business.]

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2) ABRA-023471 – **Harmony Cafe –** Retail – C – Restaurant – 3287 M Street NW
[Licensee is Out of Business.]

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3) ABRA-122495 – **Mariachi Lounge –** Retail – C – Restaurant – 5217 Georgia Avenue NW
[Licensee is Out of Business.]

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4) ABRA-118150 – **Puro Gusto –** Retail – C – Restaurant – 1345 F Street NW
[Licensee is Out of Business.]

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5) ABRA-131677 – **Husporia Cocktail Bar & Kitchen –** Retail – C – Restaurant – 3275 Georgia Avenue NW
[Licensee is Out of Business.]

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6) ABRA-121774 – **Afro Lounge –** Retail – C – Restaurant – 3630 Georgia Avenue NW
[Licensee is Out of Business.]

In accordance with the Open Meetings Act (D.C. Official Code §2-571 *et. seq*.) this meeting may be closed to consult with an attorney to obtain legal advice pursuant to §2-575(b)(4)(A). The Board's vote will be held in an open session and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or concerns arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, MARCH 4, 2026
899 NORTH CAPITOL STREET, NE, SUITE 4200 A-B
WASHINGTON, D.C. 20002

Donovan W. Anderson, Chairperson
Members: Silas Grant, Jr., Teri Janine Quinn, Ryan Jones and David Meadows

Protest Hearing (Status) **10:30 AM**

Case # 26-PRO-00006
Ching, LLC, t/a Uproar
639 Florida Ave NW
License #92012
Retailer CT
ANC 1B
Application to Renew the License

Protest Hearing (Status) **10:30 AM**

Case # 26-PRO-00002
Buddy's Inc. t/a Buddy's DC
3234 11th Street NW
License #123008
Retailer CT
ANC 1A
Application to Renew the License

Board's Calendar
March 4, 2026

Protest Hearing (Status) **10:30 AM**

Case # 26-PRO-00001
Buddy's Inc. t/a Buddy's DC
3234 11th Street NW
License #123008
Retailer CT
ANC 1A
Petition to Amend or Terminate the Settlement Agreement

Protest Hearing (Status) **10:30 AM**

Case # 25-PRO-00131
2335, LLC t/a Power Night Club/Lounge/Restaurant
2335 Bladensburg Road NE
License #104228
Retailer CT
ANC 5C
Application to Renew the License

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CIT-00256
BK Events, LLC, t/a Flair Restaurant & Lounge
2210 14th Street NW
License #120179
Retailer CT
ANC 1B
Operating After Hours

Board's Calendar
March 4, 2026

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CC-00018
Darien DC, LLC t/a Bidwell
1309 5th Street NE
License #92990
Retailer CT
ANC 5D
Sale to Minor Violation

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CMP-00049
816 Dirty Water, LLC, t/a Dirty Water
816 H Street NE
License #125771
Retailer CT
ANC 6A
Interfered with an ABRA and MPD Investigation, Sale to Minor Violation

Show Cause Hearing **10:30 AM**

Case # 25-CIT-00135
Mangia & Bevi, LTD, t/a Giovanni's Trattu
1823 Jefferson Place NW
License #126137
Retailer CR
ANC 2B
Failed to File Quarterly Statements

Board's Calendar
March 4, 2026

Show Cause Hearing **10:30 AM**

Case # 25-CMP-00060
TCM & Co, LLC t/a Shanklin Hall
2325 18th Street NW
License #123200
Retailer CR
ANC 1C
Operating After Hours, Substantial Change (Sidewalk Cafe)

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA AT 1:00 PM

Show Cause Hearing **1:30 PM**

Case # 25-CIT-00066
Josiah's, LLC t/a Eden's Kitchen
2910 Bladensburg Road NE
License #118203
Retailer CR
ANC 2C
Failed to File Quarterly Statements

Protest Hearing **1:30 PM**

Case # 25-PRO-00122
QrtzBar, LLC t/a QrtzBar
1914 9th Street NW
License #132899
Retailer CT
ANC 1B
Application to Renew the License

Board's Calendar
March 4, 2026

Protest Hearing **1:30 PM**

Case # 25-PRO-00038
Balkan Concepts, LLC, t/a Ambar
523 8th Street SE
License #90240
Retailer CR
ANC 6A
Application to Renew the License

Protest Hearing **1:30 PM**

Case # 25-PRO-00127
Life 1, LLC t/a Cloud One Restaurant & Lounge
1919 North Street NW
License #130269
Retailer CT
ANC 6B
Application to Renew the License

Protest Hearing **1:30 PM**

Case # 26-PRO-00003
Growth & Wellness LLC t/a District Wellness Center
1815 M Street NW
License #127952
Retailer MC
ANC 6B
Application for a New License (including Home Delivery, Educational Tasting, Safe-Use Treatment Facility & Summer Garden Endorsements)

All of the ABC Board's public hearings are conducted virtually and are livestreamed on ABCA's YouTube channel which can be found here: *https://www.youtube.com/@alcoholicbeverageregulatio5683*.

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 INTERNATIONAL PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

School Scheduling Optimization Services

RFP for School Scheduling Optimization Services: DC International School (DCI) is a public charter school serving >1,600 students in grades 6-12 in Washington, DC. Opened in 2014, the school's mission is to foster inquiring, engaged, knowledgeable, and caring secondary students who are multilingual, culturally competent, and committed to proactively creating a socially just and sustainable world.

DCI seeks a qualified firm or consultant to provide both technology-driven tools and strategic consulting services to support the building of a class and teacher schedule that is both equitable and resource-efficient.

The firm shall have a proven track record of working with institutions in the K-12 (with particular experience in middle and high schools) education setting. The firm should have a proven technology solution that will reduce the time and effort required for DCI to create more equitable and balanced schedules.

Please email RFP@dcinternationalschool.org for a full scope of work. Proposals must be received no later than the close of business Wednesday, March 11, 2026. Please specify "RFP for School Scheduling Optimization Services" in the subject line. No phone calls or late responses please.

D.C. STATE BOARD OF EDUCATION

NOTICE OF PUBLIC MEETING

The D.C. State Board of Education's High School Graduation Requirements Task Force will hold a monthly meeting on **March 19, 2026 at 5:00 p.m**.

Meeting materials will be posted on the State Board's meeting DropBox at: https://bit.ly/SBOEMeetingDocs.

Members of the public are invited to view the livestream at: https://youtube.com/DCSBOE**.**

Below is a draft agenda for the meeting.

DRAFT AGENDA

I. Introduction
II. Discussion of High School Graduation Requirements Proposed by OSSE
III. Adjournment

Please note: This agenda is subject to change.

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.

BOARD OF ELECTIONS

CERTIFICATION OF ANC-SMD VACANCY

The District of Columbia Board of Elections hereby gives notice that there are vacancies in (4) four Advisory Neighborhood Commission offices, certified pursuant to D.C. Official Code § 1-309.06(d)(2).

VACANT: 2F04, 3E07, 7C06, 8D04

Petition Circulation Period: **Monday, March 2, 2026, through Monday, March 23, 2026**
Petition Challenge Period: **Thursday, March 26, 2026, through Wednesday, April 1, 2026**

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

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

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

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

BOARD OF ELECTIONS

Certification of Filling a Vacancy In Advisory Neighborhood Commission

Pursuant to D.C. Official Code §1-309.06(d)(6)(E) - (G) if there are multiple people qualified to fill the vacancy within the affected single-member district, the Advisory Neighborhood Commission holds an election and transmits a resolution documenting the election results to the Board. Having received one such resolution, the Board hereby certifies that the vacancies have been filled in the following single-member districts by the individuals listed below:

Scott Burger
Single-Member District **6A01**

Kimberly Butler
Single-Member District **6A02**

DEPARTMENT OF EMPLOYMENT SERVICES (DOES)

NOTICE OF FUNDING AVAILABLITY (NOFA)

FISCAL YEAR 2026

DOES Pre-Apprenticeship High-Demand Industries Grant

Application Release Date: March 13, 2026

Application Submission Deadline: April 11, 2026

Pursuant to its role under the Workforce Innovation and Opportunity Act (WIOA) (29 U.S.C. §3101 et seq.), the District of Columbia Department of Employment Services (DOES) will issue a Request for Applications (RFA) for the Office of Workforce & Federal Programs Office of Apprenticeship, Information and Training (OAIT) Pre Apprenticeship Program Grant. The RFA will be online on the District Grants Clearinghouse and on the DOES website at the following page: https://does.dc.gov/page/grant-opportunities.

The purpose of the Pre-Apprenticeship High-Demand Industries Grant is to expand workforce access and strengthen the talent pipeline across multiple high-demand industries. Through hands-on training and career readiness support, the program will equip eligible participants with the technical competencies, employability skills, and the foundational knowledge necessary to obtain industry-recognized credentials. Participants will be prepared to successfully transition into a Registered Apprenticeship Program or secure unsubsidized employment in their chosen field. This training promotes sustainable career pathways, supports economic mobility, and advances the District's capacity to meet employer demand for a highly skilled workforce.

The High-Demand Industries Pre-Apprenticeship training program is designed to expand workforce access and strengthen the talent pipeline across multiple high-demand industries, including Heating, Ventilation, and Air Conditioning (HVAC); Electrical; Plumbing; Pipe Fitting and Steam Fitting; Carpentry; Technology; and Health Care. Through hands-on training and career readiness support, the program will equip eligible participants with the technical competencies, employability skills, and foundational knowledge necessary to obtain industry-recognized credentials.

Eligibility: DOES will make these grants available through a competitive process. Eligible applicants include public and private non-profit and for-profit organizations eligible to do business with the District government, including but not limited to community-based organizations, faith-based organizations, public, charter, or alternative secondary schools, post-secondary institutions, trade associations or chambers of commerce, and private service providers.

Available Funding for the Award: This up to $250,000 grant is 100% funded by the U.S. Department of Labor, Employment and Training Administration through the District of Columbia's Program Year (PY) 2025 WIOA Title I Adult Grant. The total federal award to the District is $3,499,134.00. Awarded funds shall be used only for activities outlined in the scope of

this RFA and in accordance with applicable federal and District requirements. DOES will use the applicant's grant proposal to identify the number of participants the applicant plans to serve and determine an award amount. However, DOES maintains the right to adjust the grant award and amount based on funding availability. Determinations regarding the number of competitive grants to be awarded will be based on the quality and number of applications received and available funding. Successful applicants may be awarded amounts less than requested.

A review panel or panels will be convened to review, score, and rank each application for a competitive grant. The review panel(s) 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 Director of DOES or her designee will make all final award decisions.

Length of Award: The grant award period is for one year from the date of the award notification, with four option years, contingent upon funding availability.

Pre-Application Conference: All interested applicants are encouraged to attend the virtual pre-application conference on March 26, 2026, at 11:00 a.m. Please email OGAgrants@dc.gov if you will be attending the pre-application meeting to receive the meeting invite link.

Contact: For additional information regarding this grant competition, please contact:

Demetries M. Saunders
Department of Employment Services
Office of Grant Administration and Resource Allocation (OGARA)
Email: OGAGrants@dc.gov

Deadline for Applications: The deadline for application submissions is April 11, 2026, at 3:00 p.m. Late or incomplete applications will not be forwarded to the review panel.

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FILING OF A
VOLUNTARY CLEANUP ACTION PLAN

2201 Wisconsin Avenue, NW.
Case No. VCP2025-086

Pursuant to § 601 of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312, as amended April 8, 2011, D.C. Law 18-369; D.C. Official Code §§ 8-636.01), the Voluntary Cleanup Program in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch, is informing the public that it has received a Voluntary Cleanup Action Plan (VCAP) requesting to perform a remediation action. The applicant for the property located at 2201 Wisconsin Avenue, NW is MRW 2201 Wisconsin Ave. LLC, 750 17th Street, Suite 1100, Washington DC 20006.
.

The VCAP identifies the presence of vapor phase chlorinated solvents and vapor phase petroleum VOCs from impacted soil, and groundwater. The continued land use of the subject comprised approximately 1.19 acres of commercial area in Northwest Washington, DC.

Pursuant to § 636.01(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-3B02) for the area in which the property is located. The VCAP is available for public review at the following locations:

Voluntary Cleanup Program
Department of Energy and Environment (DOEE)
1200 First Street, NE, 5th Floor
Washington, DC 20002

Interested parties may also request a copy of the application by contacting the Voluntary Cleanup Program at the above address or by calling (202) 535-1771. An electronic copy of the application may be viewed at http://doee.dc.gov/service/vcp-cleanup-sites.

Written comments on the Voluntary Cleanup Action Plan must be received by the VCP at the address listed above within fourteen (14) days from the date of this publication. DOEE is required to consider all relevant public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

Please refer to Case No. **VCP2025-086** in any correspondence related to this application.

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

Notice is hereby given that, pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, proposes to issue Permit No. 7378 to The George Washington University (GW) to operate a Camfil Air Pollution Control Farr Gold Series Model GS6 dust collector, designated DC-2, with serial number G26863002, designed for welding fumes applications, located at the Corcoran School of Art, George Washington University, 500 17th Street NW, Washington, DC. The contact person for the facility is Mansi Talwar, Executive Director of Utilities, Energy, and Engineering at (202) 934-5177 or mtalwar@gwu.edu.

Emissions:

The estimated maximum annual emissions from the dust collector, based on a 200 hour per year operational limitation established in the permit, are expected to be as follows:

	Dust Collector Maximum Emissions		
Pollutant	**lb/hr**	**lb/yr**	**tons/yr**
Particulate Matter <10 microns (PM10)	0.00184	0.368	0.000184
Total Hazardous Air Pollutants (HAPs)	0.00104	0.208	0.000104

The proposed dust collector emission limits are as follows:

a. Total suspended particulate matter (TSP) emissions from the fume hood welding dust collector shall not exceed 0.03 grains per dry standard cubic foot of exhaust or 0.24 pounds per hour. [20 DCMR 603.1 and 20 DCMR Chapter 6, Appendix 6-1]

b. Adding diluent air to the gas stream to comply with Condition II(a) is prohibited. [20 DCMR 603.3]

c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

   Violation of standards set forth in this section that occur as a result of unavoidable malfunction, despite the conscientious employment of control practices, shall be an affirmative defense for which the owner or operator shall bear the burden of proof. A malfunction shall not be considered unavoidable if the owner or operator could have taken, but did not take, appropriate steps to eliminate the malfunction within a reasonable time, as determined by the Department. [20 DCMR 903.13(b)]

   This condition is District enforceable only.

d. No visible emissions shall be emitted into the outdoor atmosphere from this equipment; except that discharges shall be permitted for two (2) minutes during any startup, cleaning, adjustment of combustion or operational controls, or regeneration of emission control equipment; provided that such discharges shall not exceed twenty-seven percent (27%) opacity (unaveraged). This requirement shall not apply to visible emissions when the presence of uncombined water is the only reason for failure of a visible emission to meet the visible emissions standards. [20 DCMR 606.1(a)(2), 20 DCMR 606.2(f) and 20 DCMR 606.6(a)]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 9:00 A.M. and 5:00 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 498-8143 or stephen.ours@dc.gov. Copies of the draft permit and related technical support memorandum are also available at: https://doee.dc.gov/service/public-notices-hearings.

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

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

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington DC 20002
stephen.ours@dc.gov

No comments or hearing requests submitted after March 30, 2026 will be accepted.

For more information, please contact Stephen S. Ours at (202) 498-8143 or stephen.ours@dc.gov.

GLOBAL CITIZENS PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Security & Access Control Services

Global Citizens Public Charter School (Global Citizens) is seeking a company to provide Security & Access Control Services for the 2026-2027 school year, with the option to extend the contract.

To retrieve a full copy of the Request for Proposal (RFP), please click here or email Sean Flora (Chief of Staff) at sflora@globalcitizensschool.org. All proposal submissions are due by 5:00 pm on Friday, March 13, 2026, via email to Autumn Tomlin (autumn@rosewood.dev) and Sean Flora (sflora@globalcitizensschool.org) with a copy to: Natalie Smith, Ph.D. (natalie@globalcitizensschool.org) and Diarra McKinney (diarra@rosewood.dev).

Questions and Site Visit coordination regarding this RFP should be requested (via email) to Autumn Tomlin (autumn@rosewood.dev) and Sean Flora (sflora@globalcitizensschool.org).

DEPARTMENT OF HEALTH CARE FINANCE
NOTICE OF PUBLIC MEETING

Department of Health Care Finance Pharmacy and Therapeutics Committee

The Department of Health Care Finance (DHCF) Pharmacy and Therapeutics Committee (Committee), pursuant to the requirements of Mayor's Order 2007-46, dated January 23, 2007, hereby announces a public meeting of the Committee to obtain input on the review and maintenance of a Preferred Drug List (PDL) for the District of Columbia. **The meeting will be held virtually on Thursday, March 5th, 2026, at 2:00PM**.

Please note in order to attend the meeting, **you will have to register at the website:** https://primetherapeutics.zoom.us/webinar/register/WN_X6LR8YwxRgiYbn9t2sShOg. Once you have registered you will receive an email with instructions on how to attend the meeting.

The Committee will receive public comments from interested individuals on issues relating to the topics or class reviews to be discussed at this meeting. The clinical drug class review for this meeting will include:

Androgenic Agents	Hemophilia agents- *tentative*
Antibiotics, Vaginal	Histamine-2-Receptor Antagonists
Antiemetics/Antivertigo Agents	Hyperparathyroidism Agents
Antihyperuricemics	Hypoglycemics, Incretin Mimetics/Enhancers
Bladder Relaxants	Hypoglycemics, Insulins
Bile Salts- *tentative*	Hypoglycemics, Meglitinides
Bone Resorption and Suppression Agents	Hypoglycemics, Metformins
BPH Agents	Hypoglycemics, SGLT2 Inhibitors
Colony Stimulating Factors	Hypoglycemics, Thiazolidinediones
Erythropoiesis Stimulating Agents	Pancreatic Enzymes
Fertility Agents	Phosphate Binders
GI Motility, IBS, Chronic	Progestins For Cachexia
Glucagon Agents	Proton Pump Inhibitors
Growth Hormone	Ulcerative Colitis Agents
H. Pylori Agents	Vaginal Estrogen Preparations

Any person or organization who wishes to make a presentation to the DHCF P&T Committee should furnish his or her name, address, telephone number, and name of organization represented by calling (202) 442-9076 **no later than 4:45 PM on Monday, March 2, 2026**. The person or organization may also submit the aforementioned information via e-mail to Charlene Fairfax (charlene.fairfax@dc.gov).

An individual wishing to make an oral presentation to the Committee will be limited to three (3) minutes.
A person wishing to provide written information should supply a copy of the written information to the Committee **no later than 4:45 PM Monday, March 2, 2026. Handouts are limited to no more than two standard 8-1/2 by 11 inch pages of "bulleted" points (or one page front and back).** The ready-to-disseminate, written information should be emailed to Charlene Fairfax (charlene.fairfax@dc.gov) **to arrive no later than Monday, March 2, 2026.**

DEPARTMENT OF HEALTH

PUBLIC NOTICE

The District of Columbia Board of Nursing ("Board") hereby gives notice of its upcoming meeting, pursuant to Section 405 of the District of Columbia Health Occupation Revision Act of 1985, D.C. Official Code § 3-1204.05 (b).

The Board meets bi-monthly on the first Wednesday of every other month from 9:00 AM to 12:00 PM. The Board meeting will take place on Wednesday, March 4, 2026. The meeting will be open to the public from 9:00 AM until 10:00 AM to discuss various agenda items and any comments and/or concerns from the public. In accordance with Section 405(b) of the Open Meetings Act of 2010, D.C. Official Code § 2-574(b), the meetings will be closed from 10:00 AM to 12:00 PM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The in-person meeting will be held at Department of Health, 2201 Shannon Place, SE, Washington, DC 20020.

The detailed agendas for all open (public) session meetings and videoconference and telephone information will be posted at least one business day before the meeting on the DC Health website at https://dchealth.dc.gov/node/149382

DEPARTMENT OF HEALTH

BOARD OF PROFESSIONAL COUNSELING

NOTICE OF PUBLIC MEETING

March 6, 2026

The District of Columbia Board of Professional Counseling ("Board") hereby gives notice of a meeting pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2012 Repl.) ("Act").

This meeting will be held on March 6, 2026, from 10:00 AM to 2:00 PM and will be open to the public from 10:00 AM until approximately 11:00 AM to discuss various agenda items and any comments and/or concerns from the public. In accordance with Section 405(b) of the Open Meetings Act of 2010, D.C. Official Code § 2-575(b), the meeting will be closed from approximately 11:00 AM until 2:00 PM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and/or violations of law or regulations.

The meeting will be conducted via videoconference. The public may attend the open session through one of the following:

Open Session Meeting link:
https://dcnet.webex.com/dcnet/j.php?MTID=mb7db2da02f1ac65acba8e248dc72d81a

Join by Phone:
1-202-860-2110 United States Toll (Washington D.C.)
1-650-479-3208 Call-in toll number (US/Canada)
Access Code: 475 199 633

The agenda is available on the Board website, at: https://dchealth.dc.gov/page/board-professional-counseling-open-session-agendas

For additional information, contact the Board at dcbopc@dc.gov or visit the Board website at https://dchealth.dc.gov/node/160252.

DC DEPARTMENT OF HEALTH

Community Health Administration

NOTICE OF FUNDING AVAILABILITY (NOFA)

FO# CHA-EFAI: HCS-3.13.26

Equitable Food Access Initiative: Healthy Corner Stores

The District of Columbia, Department of Health (DC Health) is requesting proposals from qualified applicants to provide services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of DC Health's intent to make funds available for the purpose described herein. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DC Health terms and conditions for applying for and receiving funding.

Funding Opportunity Title:	Equitable Food Access Initiative: Healthy Corner Stores
Funding Opportunity Number:	CHA-EFAI: HCS-3.13.26
DC Health Administrative Unit:	Community Health Administration
DC Health Program Bureau:	Health Promotion and Disease Prevention Bureau
Funding Opportunity Contact:	Jo-Ann Jolly, Division Chief joann.jolly@dc.gov
Funding Opportunity Description:	The Department of Health (DC Health) is requesting proposals from qualified applicants to implement evidence-based or evidence-informed strategies that increase food access and improve food environments for District residents through corner stores.
Eligible Applicants	• Community-based non-profit organizations. • Private and public organizations located and licensed to conduct business in the District of Columbia.
Anticipated # of Awards:	1
Anticipated Amount Available:	$750,000
Annual Floor Award Amount:	$500,000
Annual Ceiling Award Amount:	$750,000
Legislative Authorization	Pending FY27 Local Budget Act of 2026

Associated CFDA#	N/A
Associated Federal Award ID#	N/A
Cost Sharing/Match Required?	No
RFA Release Date:	March 13, 2026
Letter of Intent Due date:	Not Applicable
Application Deadline Date:	April 28, 2026
Application Deadline Time:	3:00 p.m.
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse https://communityaffairs.dc.gov/content/community-grant-program#4 DC Health EGMS https://egrantsdchealth.my.site.com/sitesigninpage

Notes:

1. DC Health reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DC Health grant funding.
4. Applicants must have a Tax ID#, and be registered in the federal Systems for Award Management (SAM) with an active UEI# to be registered in DC Health's Enterprise Grants Management System.

DC DEPARTMENT OF HEALTH

Community Health Administration

NOTICE OF FUNDING AVAILABILITY (NOFA)

FO# CHA-EFAI: HDM-3.13.26

Equitable Food Access Initiative: Home Delivered Meals

The District of Columbia, Department of Health (DC Health) is requesting proposals from qualified applicants to provide services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of DC Health's intent to make funds available for the purpose described herein. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DC Health terms and conditions for applying for and receiving funding.

Funding Opportunity Title:	Equitable Food Access Initiative: Home Delivered Meals
Funding Opportunity Number:	CHA-EFAI: HDM-3.13.26
DC Health Administrative Unit:	Community Health Administration
DC Health Program Bureau:	Health Promotion and Disease Prevention Bureau
Funding Opportunity Contact:	Jo-Ann Jolly, Division Chief joann.jolly@dc.gov
Funding Opportunity Description:	The Department of Health (DC Health) is requesting proposals from qualified applicants to implement evidence-based or evidence-informed strategies that increase food access and improve food environments for District residents through home-delivered meals.
Eligible Applicants	• Community-based non-profit organizations. • Private and public organizations located and licensed to conduct business in the District of Columbia.
Anticipated # of Awards:	1
Anticipated Amount Available:	$1,335,000
Annual Floor Award Amount:	$800,000
Annual Ceiling Award Amount:	$1,335,000
Legislative Authorization	Pending FY27 Local Budget Act of 2026

Associated CFDA#	N/A
Associated Federal Award ID#	N/A
Cost Sharing/Match Required?	No
RFA Release Date:	March 13, 2026
Letter of Intent Due date:	Not Applicable
Application Deadline Date:	April 21, 2026
Application Deadline Time:	3:00 p.m.
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse https://communityaffairs.dc.gov/content/community-grant-program#4 DC Health EGMS https://egrantsdchealth.my.site.com/sitesigninpage

Notes:

1. DC Health reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DC Health grant funding.
4. Applicants must have a Tax ID#, and be registered in the federal Systems for Award Management (SAM) with an active UEI# to be registered in DC Health's Enterprise Grants Management System.

DC DEPARTMENT OF HEALTH

Community Health Administration

NOTICE OF FUNDING AVAILABILITY (NOFA)

FO# CHA-EFAI: PI-3.13.26

Equitable Food Access Initiative: Produce Incentives

The District of Columbia, Department of Health (DC Health) is requesting proposals from qualified applicants to provide services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of DC Health's intent to make funds available for the purpose described herein. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DC Health terms and conditions for applying for and receiving funding.

Funding Opportunity Title:	Equitable Food Access Initiative: Produce Incentives
Funding Opportunity Number:	CHA-EFAI: PI-3.13.26
DC Health Administrative Unit:	Community Health Administration
DC Health Program Bureau:	Health Promotion and Disease Prevention Bureau
Funding Opportunity Contact:	Jessie Lupo, Supervisory Public Health Analyst farmersmarket@dc.gov
Funding Opportunity Description:	The Department of Health (DC Health) is requesting proposals from qualified applicants to implement evidence-based or evidence-informed strategies that expand food access and strengthen food environments for District residents with lower incomes through farmers' market produce incentives.
Eligible Applicants	• Community-based non-profit organizations. • Private and public organizations located and licensed to conduct business in the District of Columbia.
Anticipated # of Awards:	1
Anticipated Amount Available:	$2,100,000
Annual Floor Award Amount:	$1,500,000
Annual Ceiling Award Amount:	$2,100,000

Legislative Authorization	Pending FY27 Local Budget Act of 2026
Associated CFDA#	N/A
Associated Federal Award ID#	N/A
Cost Sharing/Match Required?	No
RFA Release Date:	March 13, 2026
Letter of Intent Due date:	Not Applicable
Application Deadline Date:	April 28, 2026
Application Deadline Time:	3:00 p.m.
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse https://communityaffairs.dc.gov/content/community-grant-program#4 DC Health EGMS https://egrantsdchealth.my.site.com/sitesigninpage

Notes:

1. DC Health reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DC Health grant funding.
4. Applicants must have a Tax ID#, and be registered in the federal Systems for Award Management (SAM) with an active UEI# to be registered in DC Health's Enterprise Grants Management System.

DC DEPARTMENT OF HEALTH

Community Health Administration

NOTICE OF FUNDING AVAILABILITY (NOFA)

FO# CHA-EFAI: SBNM-3.13.26

Equitable Food Access Initiative: School Based Nutrition Markets

The District of Columbia, Department of Health (DC Health) is requesting proposals from qualified applicants to provide services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of DC Health's intent to make funds available for the purpose described herein. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DC Health terms and conditions for applying for and receiving funding.

Funding Opportunity Title:	Equitable Food Access Initiative: School Based Nutrition Markets
Funding Opportunity Number:	CHA-EFAI: SBNM-3.13.26
DC Health Administrative Unit:	Community Health Administration
DC Health Program Bureau:	Health Promotion and Disease Prevention Bureau
Funding Opportunity Contact:	Jo-Ann Jolly, Division Chief joann.jolly@dc.gov
Funding Opportunity Description:	The Department of Health (DC Health) is requesting proposals from qualified applicants to implement evidence-based or evidence-informed strategies that increase food access and improve food environments for District residents through school-based nutrition markets.
Eligible Applicants	• Community-based non-profit organizations. • Private and public organizations located and licensed to conduct business in the District of Columbia.
Anticipated # of Awards:	1
Anticipated Amount Available:	$1,825,000
Annual Floor Award Amount:	$1,500,000
Annual Ceiling Award Amount:	$1,825,000

Legislative Authorization	Pending FY27 Local Budget Act of 2026
Associated CFDA#	N/A
Associated Federal Award ID#	N/A
Cost Sharing/Match Required?	No
RFA Release Date:	March 13, 2026
Letter of Intent Due date:	Not Applicable
Application Deadline Date:	April 28, 2026
Application Deadline Time:	3:00 p.m.
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse https://communityaffairs.dc.gov/content/community-grant-program#4 DC Health EGMS https://egrantsdchealth.my.site.com/sitesigninpage

Notes:

1. DC Health reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DC Health grant funding.
4. Applicants must have a Tax ID#, and be registered in the federal Systems for Award Management (SAM) with an active UEI# to be registered in DC Health's Enterprise Grants Management System.

LEARN DC PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSAL

Construction Manager at Risk

LEARN DC Public Charter School, located in Washington DC, is requesting an RFP to procure a fee-based Construction manager at risk to provide pre-construction cost estimation services (the "services") for a new campus for LEARN DC Public Charter School ("LEARN"). The RFP will be distributed to construction specialists with experience in providing cost estimation, general contracting, and construction management services, with a preference for firms with experience building public charter schools. The winning firm will enter into a standard A133™ – 2019, Standard Form of Agreement Between Owner and Construction Manager as Constructor, where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price contract with LEARN DC. Proposals will be evaluated by LEARN's leadership and its representatives.

The full RFP can be found under the "RFP" section at Learncharter.org or requested via email by contacting Level Field Partners at jose@levelfieldpartners.com. Proposals will be accepted until **5:00pm EST on Wednesday, March 4th, 2026**. Submissions should be sent to jose@levelfieldpartners.com.

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

District of Columbia Board of Accountancy

NOTICE OF PUBLIC MEETING

The District of Columbia Board of Accountancy ("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 Friday, March 6, 2026, at 10:30 a.m.

The Board holds its meetings on the first Friday of each month at 11 a.m. The meetings are open to members of the public virtually via Zoom. For additional information, please contact Ms. Angela Meggett-Strudwick, Board Administrator, at (202) 899-3473 or angela.meggett-strudwick@dc.gov.

DRAFT AGENDA

1. Call to Order – 9:00 a.m.
2. Attendance
3. Comments from the Public
4. Review Meeting Minutes
5. Applications for Licensure
6. Old Business
7. New Business
8. 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.
9. Adjourn – Next Scheduled Meeting – **May 1, 2026**

Meeting Login Information: DC Board of Accountancy Public Meeting Link

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.

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, March 2, 2026, at 10 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 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 – February 2, 2026
6. Correspondence
7. Board committees
8. Old business
9. New business
10. Recommendations/Actions
11. Adjourn
12. Next scheduled board meeting – April 6, 2026, via Zoom.

Meeting Login Information:
https://dc-gov.zoom.us/j/88510081464?pwd=H6VKMbebSjkZdEFwAHzoMkwx8EpJyO.1
Webinar ID: 885 1008 1464; **Passcode:** 03022026

*****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

District of Columbia Board of Real Estate Appraisers

NOTICE OF ADDITIONAL PUBLIC MEETING

The District of Columbia Board of Real Estate Appraisers ("Board") hereby gives notice of its regular meeting, pursuant to the 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, February 26, 2026, at 9:30 a.m.

The Board holds its meetings on the third Wednesday of every month at 10:00 a.m. The meetings are open to members of the public virtually through Zoom. For additional information, please contact Ms. Brittney Cheshier, Board Administrator, at (202) 442-4461 or Brittney.Cheshier1@dc.gov.

Draft Agenda

1. Call to Order – 9:30 a.m.
2. Attendance
3. 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 report.
4. Recommendations on outstanding legal applications
5. Adjourn – The next regularly scheduled meeting will occur on March 18, 2026, via Zoom.

To Join the Meeting:
https://dc-gov.zoom.us/j/87394087391

***** 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***

Notice: This decision may be formally revised 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:	
American Federation of Government Employees, Local 631,	
Petitioner,	PERB Case No. 25-RC-01
and	Opinion No. 1936
District of Columbia Department of General Services,	
Respondent	

CERTIFICATION OF ELECTION RESULTS

I. Statement of the Case

The results of an election in the above-captioned proceeding have been duly reported to the parties on December 2, 2025, as follows: pursuant to the Decision and Order of the Public Employee Relations Board (PERB) in Opinion No. 1929, an in-person secret ballot election was conducted for the following unit:

> Career Service employees in the Contract Specialist DS-12 position, Contract Specialist DS-13 position, Contract Specialist DS-14 position, and the Program Support Specialist DS-11 position within the Department of General Services – Contracts and Procurement Division; excluding all management officials, supervisors, confidential employees, employees engaged in personnel work in other than a purely clerical capacity and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139.

The in-person election was conducted by PERB staff on December 2, 2025. Approximately ten (10) employees were eligible to vote.[1] A notice of election (Notice) was posted on September 12,

[1] Board Rule 512.1

2024. Eligible employees received one (1) ballot, for choice of representative. Immediately after the end of the election on December 2, 2025, PERB staff conducted the ballot tally in the presence of both parties' election observers and determined the outcome of the election based on the majority of the valid votes cast.

The ballot for choice of representative stated: "For the purposes of exclusive recognition under the Comprehensive Merit Personnel Act of 1978, who do you wish to be represented by?" and offered a choice of AFGE or No Union. Twelve (12) DGS employees cast ballots on choice of representative. Two (2) ballots were challenged.

The results are hereby reported as follows:

American Federation of Government Employees (AFGE)	10	votes
No Union	0	votes
Challenged Ballots	2	votes
Spoiled Ballots	0	votes
Void Ballots	0	votes

Pursuant to Board Rule 515.2, "no later than seven (7) days after the tally of ballots has been served, any party to the election proceeding may file with the Board objections to the election procedure or to any conduct that might have improperly affected the results of the election." The Board did not receive any objections from the parties regarding the election.

Having received no objections concerning the conduct of the above-described election proceeding, pursuant to Board Rule 515.5, the results of the election, as reported, are hereby certified.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons and Peter Winkler.

December 18, 2025

Washington, D.C.

Notice: This decision may be formally revised 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:	
American Federation of Government Employees, Local 1975	
Complainant	PERB Case No. 25-U-08
v.	Opinion No. 1937
District of Columbia Department of Motor Vehicles	CORRECTED
Respondent	

DECISION AND ORDER

I. Statement of the Case

On March 13, 2025, the American Federation of Government Employees, Local 1975 (AFGE) filed a second amended[1] unfair labor practice complaint (Complaint) against the District of Columbia Department of Motor Vehicles (DMV). The Complaint asserts that DMV violated D.C. Official Code §§ 1-617.04(a)(1) and (5) of the Comprehensive Merit Personnel Act (CMPA), as well as the parties' collective bargaining agreement (CBA) and the District Personnel Manual (DPM), by refusing to provide AFGE with the disciplinary records for a bargaining unit employee who was not represented by the Union during her disciplinary proceedings. AFGE requests that the Board order DMV to produce the requested records, cease and desist from interfering with the Union's representational duties, and post a notice of the violation.[2] On April 1, 2025, DMV filed its Answer, asserting that the Complaint should be dismissed for failure to state a claim upon which relief may be granted, and because it concerns a contractual dispute outside of PERB's jurisdiction.[3]

On June 26, 2025, the parties participated in a mediation conference but did not reach settlement. On October 14, 2025, AFGE filed a motion for a decision without a hearing (Motion).

[1] The second amended complaint cured deficiencies identified in the initial complaint, filed February 13, 2025, and the first amended complaint, filed February 19, 2025.
[2] Complaint at 3-4.
[3] Answer at 3.

The Motion argues that a decision on the pleadings is warranted in this case because there are no disputes of material fact.[4] DMV did not file an opposition.

The Motion is hereby GRANTED. For the reasons discussed herein, the Board finds that DMV violated sections 1-617.04(a)(1) and (5) of the CMPA.

I. Background

The following facts are undisputed. DMV took disciplinary action against two bargaining unit employees who were involved in a workplace incident.[5] One employee chose to be represented by AFGE, while the other opted for independent representation.[6] On December 6, 2024, AFGE sent DMV a request for the disciplinary records of the independently represented employee.[7] DMV refused to provide the requested records, asserting that the independently-represented employee had signed a document stating she only wanted those records shared with her representative.[8] The Agency informed AFGE that it could request the disciplinary records if and when the employee filed a grievance.[9]

II. Discussion

As a preliminary matter, the Board addresses AFGE's claims that DMV violated the parties' CBA and the DPM. PERB does not have jurisdiction over alleged violations of a collective bargaining agreement, as such disputes are strictly contractual in nature and must be deferred to the parties' negotiated grievance process.[10] Additionally, the Board has held that alleged violations of the DPM are outside its jurisdiction and must be brought in another forum.[11] Accordingly, those aspects of the Complaint are dismissed.

The Board turns to AFGE's remaining allegation, that DMV violated sections 1-617.04(a)(1) and (5) by refusing to produce the requested disciplinary records, thereby interfering with, restraining, or coercing employees in the exercise of their rights guaranteed under the CMPA.[12] The Board has held that where an agency refuses to provide the representative union with information relevant and necessary to its legitimate collective bargaining duties, the agency has committed an unfair labor practice unless the union's interest is outweighed by confidentiality concerns.[13] The Board has emphasized that an agency's burden to demonstrate the need for

[4] Motion at 5 (citing Board Rule 520.6).
[5] Motion at 4.
[6] Complaint at 2.
[7] Complaint at 2; Motion at 2.
[8] Complaint at 2.
[9] Motion at 5.
[10] *E.g.*, *FOP/MPD Labor Comm. v. MPD*, 62 D.C. Reg. 13348, Slip Op. No. 1534 at 8, PERB Case No. 08-U-22 (2015); *Rodriguez v. MPD*, Slip Op. No. 906 at 3, PERB Case No. 06-U-38 (2008).
[11] *AFGE, Local 2731 v. D.C. Fire Dep't*, 39 D.C. Reg. 8599, Slip Op. No. 287 at 26, PERB Case No. 90-U-11 (1992).
[12] Complaint at 3.
[13] *FOP/DYRS Labor Comm. v. DYRS*, 63 D.C. Reg. 8969, Slip Op. No. 1570 at 6, PERB Case No. 14-U-09 (2016) (finding that the agency violated the CMPA by refusing to provide the union with disciplinary records which were relevant and necessary to its legitimate collective bargaining duties); *FOP/MPD Labor Comm. v. MPD*, 62 D.C. Reg.

documents to be kept confidential from the representative union is much higher than the burden to show they must be kept confidential from the public.[14] Where an agency denies a union relevant and necessary information, it must present a "viable defense."[15] The Board will make determinations regarding the need for confidentiality on a case by case basis.[16]

The Board has previously rejected agencies' assertions of confidentiality where representative unions have sought disciplinary records pertaining to unit members, finding that such records are relevant and necessary to a union's legitimate collective bargaining duties.[17] The Board has established that a union's interest in obtaining disciplinary records is especially strong where the requested records belong to multiple employees who were involved in the same or similar disciplinary incidents, as those records may be used to compare the respective discipline imposed.[18] Board precedent establishes that a lack of written permission from a disciplined employee does not erase the agency's obligation to turn over that employee's disciplinary records to the representative union.[19]

In the instant case, AFGE asserts that it requested the independently represented employee's disciplinary records "to assess whether the discipline was in compliance with the CBA, applicable regulations, and principles of progressive discipline."[20] AFGE argues that it has a "statutory right to access information relevant to its representation duties, including disciplinary records necessary to determine whether disparate treatment or inconsistencies exist in the disciplinary actions taken against bargaining unit employees."[21] When DMV denied AFGE's records request, the Agency cited the employee's written desire for the requested documentation to only be shared with her chosen representative.[22] DMV has not presented any additional arguments to support its position.

The Board finds that DMV's asserted confidentiality defense is not viable. The requested disciplinary records are relevant and necessary to AFGE's legitimate collective bargaining duties. The Union's interest in determining whether the employee it represents has experienced disparate treatment outweighs the asserted confidentiality concern. DMV has not met its burden to show

16524, Slip Op. No. 1553 at 5, PERB Case Nos. 12-U-05, 12-U-10, & 13-U-28 (2015); *UDC Faculty Ass'n/NEA v. UDC*, 36 D.C. Reg. 3333, Slip Op. No. 215 at 3, PERB Case No. 86-U-18 (1989) (citing *NLRB v. ACME Industrial Co.*, 385 U.S. 432 (1967)).

[14] *FOP/DYRS Labor Comm.*, Slip Op. No. 1570 at 6.

[15] *See id*. at 6-7 (finding that the agency's confidentiality defense was not viable).

[16] *FOP/MPD Labor Comm.*, Slip Op. No. 1553 at 7.

[17] *FOP/MPD Labor Comm. v. MPD*, 59 D.C. Reg. 11371, Slip Op. No. 1302 at 20-23, PERB Case Nos. 07-U-49, 08-U-13, & 08-U-16 (2012).

[18] *See FOP/MPD Labor Comm.*, Slip Op. No. 1553 at 2, 7 (finding that the agency was not obligated to produce disciplinary records for an employee whose misconduct was dissimilar to that of the employee whom the union was defending, as it was not relevant and necessary).

[19] *See FOP/DYRS Labor Comm.*, Slip Op. No. 1570 at 5-7 (holding that the agency violated the CMPA by refusing to provide employees' disciplinary records to the union, despite lacking written authorization from the employees); *but see FOP/MPD Labor Comm.*, Slip Op. No. 1553 at 6 (finding employees' written authorization for disclosure to be a factor weighing in the union's favor).

[20] Complaint at 2.

[21] Complaint at 2.

[22] Complaint at 2.

that the independently represented employee's records must be kept confidential from AFGE, the union of which she is a member.

III. Conclusion

The Board finds that DMV violated D.C. Official Code §§ 1-617.04(a)(1) and (5) of the CMPA by refusing to provide AFGE with the requested disciplinary records.

ORDER

IT IS HEREBY ORDERED THAT:

1. The District of Columbia Department of Motor Vehicles shall cease and desist from refusing to bargain in good faith by failing to provide the requested disciplinary records.

2. The District of Columbia Department of Motor Vehicles shall furnish the American Federation of Government Employees, Local 1975 with the requested disciplinary records.

3. The District of Columbia Department of Motor Vehicles shall conspicuously post the attached Notice where notices to employees are normally posted. The Notice shall be posted within ten (10) days from the issuance of this Decision and Order and shall remain posted for thirty (30) consecutive days.

4. Within fourteen (14) days from the date of this Decision and Order, the District of Columbia Department of Motor Vehicles shall notify the Public Employee Relations Board in writing that the attached Notice has been posted accordingly.

5. 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 Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

December 18, 2025

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.

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:	
American Federation of State, County and Municipal Employees, District Council 20	
Petitioner	PERB Case No. 25-UM-02
and	Opinion No. 1938
District of Columbia Public Library	
Respondent	

DECISION AND ORDER

I. Statement of the Case

On April 3, 2025, the American Federation of State, County and Municipal Employees, District Council 20 (AFSCME) filed a petition for unit modification (Petition). The Petition requests that the Board amend the certification which establishes AFSCME as the exclusive bargaining representative for a unit of employees at the District of Columbia Public Library (DCPL). AFSCME seeks this amendment for the purpose of eliminating outdated language and minimizing the need for future modifications. DCPL posted the required notice and PERB did not receive any objections or requests to intervene from employees or other labor organizations.

For the reasons stated herein, the Petition is Granted.

II. Background

The following facts are uncontested. On April 10, 1973, the District of Columbia Board of Labor Relations[1] issued a certification in Case No. 3R006, establishing AFSCME as the exclusive bargaining representative for the following unit:

[1] The District of Columbia Board of Labor Relations, now defunct, predated the Public Employee Relations Board, which was effectuated under the CMPA on March 3, 1979. *See* D.C. Official Code § 1-605.01. Consistent with D.C. Official Code §§ 1-602.04(a)-(c), preexisting bargaining unit certifications automatically transferred to PERB on January 1, 1980. Thus, the Board has authority to consider the instant modification petition.

> All non-supervisory WG employees of the Buildings and Grounds Department of the District of Columbia Public Library, excluding management executives, supervisory employees, and any employees engaged in personnel work in other than a purely clerical capacity.[2]

The Department of Buildings and Grounds was later changed to the Facilities Management Department.[3] The Petition proposes modifying the current description to read as follows:

> All non-supervisory WG employees of the District of Columbia Public Library, excluding management executives, supervisory employees, and any employees engaged in personnel work in other than a purely clerical capacity.[4]

AFSCME argues that "[r]ather than memorializing another department name that could change, the Union proposes to modify the certification to reflect that the Union represents all non-supervisory wage grade employees of DCPL which is true."[5]

III. Discussion

Under Board Rule 505.1(c), bargaining unit modification may be sought to delete classifications that are no longer in existence or that, by virtue of changed circumstances, are no longer appropriate to the established unit. Section 1-617.09(a) of the Comprehensive Merit Personnel Act (CMPA) provides that a petition for unit modification requires a properly supported request from a labor organization and will only be granted if the proposed modification "promotes effective labor relations and efficiency of agency operations."

The Board finds that the requested amendment removes obsolete language and ensures comprehensive bargaining unit coverage, thereby promoting effective labor relations and the efficiency of DCPL operations.

IV. Conclusion

For the reasons stated, the Board grants the Petition and modifies the bargaining unit as described in the Order.

[2] Petition at 1.
[3] Petition at 2.
[4] Petition at 2.
[5] Petition at 2.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Petition is hereby Granted.
2. The unit of employees at the District of Columbia Public Library represented by the American Federation of State, County and Municipal Employees, District Council 20 is described as follows:

   > All non-supervisory WG employees of the District of Columbia Public Library, excluding management executives, supervisory employees, and any employees engaged in personnel work in other than a purely clerical capacity.

3. The modified bargaining unit description is set forth in Certification No. 177.
4. 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 Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

December 18, 2025

Washington, D.C.

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Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	)	
District of Columbia Office of the State Superintendent of Education	)	
Petitioner	)	PERB Case No. 25-UC-02
and	)	Opinion No. 1939
Teamsters Local Union No. 639	)	
Respondent	)	

DECISION AND ORDER

I. Statement of the Case

On July 16, 2025, the District of Columbia Office of the State Superintendent of Education (OSSE) filed a petition for unit clarification (Petition), asking the Board to clarify that the position of Facilities Management Specialist (previously known as Warehouseman) is included in the Teamsters Local Union 639 (Teamsters) bargaining unit at OSSE. On July 24, 2025, the Teamsters filed a response (Response) to the Petition, seconding the request for clarification.[1]

For the reasons stated herein, the Petition is Granted.

II. Background

The following facts are uncontested. On June 24, 1986, the Board issued Certification No. 37, certifying the Teamsters, Local Nos. 639 and 730[2] as the sole and exclusive bargaining representatives for the following bargaining unit at the District of Columbia Public Schools (DCPS):

> All employees in the Transportation and Warehouse Service Unit in the D.C. Public School System in the following job classifications: Warehouse

[1] Additionally, on December 1, 2025, the parties filed a joint motion to expedite the Board's decision in this matter (Joint Motion). The instant decision and order render the Joint Motion moot.
[2] The Teamsters, Local 730 is not a party to this case.

> Leader, **Warehouseman**, Motor Vehicle Operator, Automotive Mechanic and Bus Attendant. Excluded are wages as earned employees, management officials, supervisors, confidential employees, clerical employees, and employees engaged in Personnel work other than purely clerical capacities and employees engaged in the administration of the provisions of title XVII, of the District of Columbia Comprehensive Merit Personnel Act of 1978.[3]

In 2007, all personnel and state-level functions delegated to the District of Columbia Board of Education, including DCPS, were transferred to OSSE. On April 14, 2025, OSSE and the Teamsters filed a joint unit clarification petition, asking the Board to clarify that Certification No. 37 applies to OSSE. The Board granted that petition on October 16, 2025.[4]

The Warehousemen covered under Certification No. 37 are now referred to as Facilities Management Specialists, and three (3) employees currently occupy that position at OSSE.[5] The Teamsters have long recognized the Facilities Management Specialists to be within the collective bargaining unit, as evidenced by the parties' recently negotiated collective bargaining agreement (CBA).[6] Additionally, the Board previously permitted the Teamsters to intervene in a unit modification case wherein a different union's bargaining unit description erroneously included the position of OSSE Warehouseman.[7]

III. Discussion

The Board has established that it will grant a unit clarification petition where the proposed clarification would continue to promote effective labor relations and the efficiency of agency operations.[8] Here, the Board finds that the requested unit clarification meets those criteria.

IV. Conclusion

Therefore, the Petition is hereby Granted.

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[3] Petition at 2-3 (quoting *Teamsters, Local Union Nos. 639 and 730 and DCPS*, Certification No. 37, PERB Case No. 85-RC-09 (1985)) (emphasis added).
[4] *AFGE, Local 631 and OSSE and Teamsters, Local 639*, Slip Op. No. 1928, PERB Case Nos. 24-UM-03 and 24-UC-02 (2025).
[5] Petition at 3.
[6] Petition at 3.
[7] Petition at 3-4 (citing *AFSCME, District Council 20 and OSSE and Teamsters, Local 639*, 65 D.C. Reg. 10106, Slip Op. No. 1675, PERB Case No. 17-UM-02 (2018). The Petition miscites this case as PERB Case No. 17-UM-04, but there is no such case, and it is clear the Teamsters meant to cite PERB Case No. 17-UM-02.
[8] *AFGE, Local 631*, Slip Op. No. 1928 at 6-7.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Clarification Petition is Granted;
2. It is hereby clarified that the Facilities Management Position is included in the bargaining unit established under Board Certification No. 37; and
3. 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 Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

December 18, 2025

Washington, D.C.

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Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	
American Federation of Government Employees, Local 2978	
Petitioner	PERB Case No. 25-RC-02
and	Opinion No. 1940
District of Columbia Department of Energy and Environment	
Respondent	

DECISION AND ORDER ON UNIT DETERMINATION AND DIRECTION OF ELECTION

I. Statement of the Case

On September 23, 2025, the American Federation of Government Employees, Local 2978 (AFGE) filed an amended[1] petition for exclusive recognition and noncompensation unit determination (Petition), seeking to represent a proposed bargaining unit at the District of Columbia Department of Energy and Environment (DOEE), consisting of two (2) Grants and Contract Management Specialists – CS-1101-13, and one (1) Grants and Contract Management Specialist – CS-1101-12.[2] AFGE submitted signed dues authorization cards demonstrating that at least thirty percent (30%) of the employees in the proposed unit desired AFGE's representation, as required under Board Rule 503.2.

On September 25, 2025, DOEE filed comments (Comments) in response to the Petition. Pursuant to Board Rule 503.3, the Comments included an alphabetical list of the three (3) employees who occupied positions in the proposed unit.[3] In the Comments, DOEE agreed to an election, provided the proposed bargaining unit be described as follows:

[1] The amended petition corrected deficiencies PERB identified in the initial petition, filed September 9, 2025.
[2] Petition at 1.
[3] Comments at 1.

> All career service employees in the Grants and Contract Management Specialist DS-12 position and Grants and Contract Management Specialist DS-13 position within the Department of Energy and Environment – Grants Management Division; excluding all management officials, supervisors, confidential employees, employees engaged in personnel work in other than a purely clerical capacity and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139.[4]

On October 24, 2025, PERB held an informal conference, at which AFGE consented to the unit description that DOEE had proposed. On October 27, 2025, as required under Board Rule 503.10, DOEE posted a notice which described the proposed unit and provided affected labor organizations with the opportunity to intervene in the instant case. There were no intervenors.

II. Discussion

The Board has established that, pursuant to Board Rule 503.17, an election is necessary for certification of a proposed bargaining unit, unless the agency has notified PERB of its intention to voluntarily recognize the unit.[5] Here, DOEE has declined to voluntarily recognize the unit. Therefore, an election is necessary.

III. Conclusion

An election shall be held to determine whether a majority of eligible employees in the proposed unit desire recognition of AFGE, Local 2978 as their exclusive representative.

[4] Comments at 2.
[5] *AFGE, Local 631 and OSSE*, 69 D.C. Reg. 10151, Slip Op. No. 1816 at 5, PERB Case No. 22-RC-01 (2022).

ORDER

IT IS HEREBY ORDERED THAT:

1. The following unit is an appropriate unit for collective bargaining over terms and conditions of employment:

   > All career service employees in the Grants and Contract Management Specialist DS-12 position and Grants and Contract Management Specialist DS-13 position within the Department of Energy and Environment – Grants Management Division; excluding all management officials, supervisors, confidential employees, employees engaged in personnel work in other than a purely clerical capacity and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139;

2. An election shall be held in accordance with the provisions of D.C. Official Code § 1-617.10 and Board Rule 510 to determine whether a majority of eligible employees in the uncontested proposed unit desire to be represented for bargaining on terms and conditions of employment by the American Federation of Government Employees, Local 2978 or no union; and

3. 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 Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

December 18, 2025
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 is issued to file an appeal.

Notice: This decision may be formally revised 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	)	
	)	
D.C. Police Union, Lodge #2,	)	
	)	
Complainant	)	
	)	
v.	)	PERB Case No. 22-U-08
	)	
District of Columbia Metropolitan Police Department,[1]	)	Opinion No. 1941
	)	
	)	Motion for Reconsideration
Respondent	)	
	)	

DECISION AND ORDER

I. Statement of the Case

On October 9, 2025, the District of Columbia Metropolitan Police Department (MPD) filed a motion for reconsideration (Motion) of the Board's decision in Opinion No. 1925. MPD requests that the Board reconsider its decision on remand[2] which found that MPD violated Sections 1-617.04(a)(1) and (5) of the Comprehensive Merit Personnel Act (CMPA) by categorically refusing to bargain in good faith with D.C. Police Union, Lodge #2 (the Union) or to provide information responsive to the Union's request for information regarding the District's COVID-19 vaccination requirements. On October 22, 2025, the Union filed an opposition to the Motion (Opposition).

For the reasons discussed herein, the Motion for Reconsideration is denied.

[1] As the Board dismissed the District of Columbia Office of Labor Relations and Collective Bargaining (OLRCB) in Opinion No. 1925 and OLRCB has filed the instant motion for reconsideration on behalf of MPD, OLRCB has been removed from the case caption in the instant Decision & Order. *D.C. Police Union, Lodge #2 v. MPD*, Slip Op. No. 1925 at 1-2 (fn. 3), PERB Case No. 22-U-08 (RO) (2025).

[2] In Opinion No. 1925, the Board addressed the instant case on remand pursuant to the judgment issued by the Superior Court of the District of Columbia (Superior Court) in *FOP/MPD Labor Comm., D.C. Police Union v. PERB, et. al.*, 2022-CA-002698-P(MPA) (D.C. Super. Ct. August 25, 2023) (*FOP v. PERB*). The Superior Court remanded the administrative dismissal of PERB Case No. 22-U-08 back to PERB for consideration of the merits of the case.

II. Standard of Review

The Board has established that the standard for a motion for reconsideration is clear legal error.[3] The moving party must provide authority which compels reversal of the initial decision.[4] Motions for reconsideration that do not provide a basis to compel reversal of an initial decision will be denied.[5]

III. Discussion

MPD seeks reconsideration of the Board's decision in Opinion No. 1925 on the grounds that: (1) the Board failed to fully consider MPD's argument regarding mootness; and (2) MPD acted in good faith reliance on PERB precedent in refusing to bargain.[6] The Union opposes the Motion on the grounds that: (1) MPD's mootness argument is meritless, mere disagreement with the Board's decision in Opinion No. 1925;[7] and (2) MPD's good faith and *stare decisis* arguments are both substantively and procedurally meritless.[8]

A. The decision did not fail to address MPD's mootness argument.

MPD argues that Opinion No. 1925 did not sufficiently consider controlling precedent on mootness.[9] This argument is unavailing. Further, this argument has been considered and rejected by both the Superior Court in its remand order and the Board in Opinion No. 1925.[10] The Board considered and distinguished the instant case from *AFGE v. PERB* (*AFGE*). In *AFGE*, the District of Columbia Court of Appeals determined that the central issue of appeal was moot because the emergency legislation that the union sought to negotiate expired, and remedies were no longer available.[11] Unlike the court's decision in *AFGE*, Opinion No. 1925 addressed MPD's refusal to bargain, and—having found that MPD violated the CMPA—ordered available remedies, such as notice posting.[12]

MPD has exhausted its argument on mootness and offers no compelling evidence that the Board erred in rejecting that argument.

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[3] *FOP/MPD Labor Comm. v. MPD*, 59 D.C. Reg. 7165, Slip Op. No. 1233 at 4, PERB Case No. 11-E-01 (2012).
[4] *AFSCME, District Council 20 v. OSSE*, D.C. Reg. 7165, Slip Op. No. 1679 at 3, PERB Case No. 17-N-04(a) (2018).
[5] *WTU, Local #6 v. DCPS*, Slip Op. No. 1930 at 2, 24-U-19 (MFR) (2025).
[6] Motion for Reconsideration at 3-5.
[7] Opposition at 4-9.
[8] Opposition at 10-13. The Union further asserts that the Motion is untimely because the instant case was "issued" on September 18, 2025, and MPD filed its Motion twenty-one (21) days later on October 2, 2025—in violation of Board Rule 559.2. Opposition at 4. This assertion is incorrect. Board Rule 559.2 states, "A party may file a motion for reconsideration of an order of the Board no later than fourteen (14) days after issuance of the order." The Board *decided* the instant case on September 18, 2025, but did not *issue* the opinion until September 25, 2025. Therefore, MPD's October 9, 2025 Motion is timely.
[9] Motion for Reconsideration at 3.
[10] *FOP v. PERB* at 8-10; *D.C. Police Union, Lodge #2 v. MPD*, Slip Op. No. 1925 at 5-6.
[11] *AFGE, Local 872, AFL-CIO v. District of Columbia Public Employee Rel. Board*, 319 A.3d 977, 982 (Aug. 8, 2024) (noting that "even the availability of a partial remedy is sufficient to prevent a case from being moot," but "a pending appeal generally becomes moot when there occurs an event that renders the relief sought by a party impossible or unnecessary.").
[12] *FOP v. PERB* at 9 (fn. 3); *D.C. Police Union, Lodge #2 v. MPD*, Slip No. 1925 at 7 (fn. 51).

B. MPD waived its argument concerning good faith reliance by failing to raise the argument before the Board.

MPD argues that because it allegedly acted in good faith reliance on PERB and District precedent, the unfair labor practice claims against it must be dismissed.[13] Significantly, MPD did not raise this good faith defense in its brief prior to the Board's decision in Opinion No. 1925.[14] Thus, MPD has waived the argument.[15]

Notwithstanding, this argument is also unavailing. Contrary to MPD's assertion that the Board departed from its own precedents without explanation, Opinion No. 1925 brought the Board's determinations in the instant case into compliance with controlling precedent. In remanding PERB's original administrative dismissal, the Superior Court explicitly rejected both the Board's interpretations of D.C. Official Code § 7-2304(b)(16) in that dismissal and the Board's decision in Opinion No. 1804[16] as clearly erroneous.[17] The Superior Court remand *was* the controlling precedent. Further, the National Labor Relations Board (NLRB) has held that an employer's refusal to bargain based on an unsupported ground renders good faith unavailable as a defense.[18] The Superior Court's holding that PERB's—and thus, MPD's—interpretation of the COVID-19 Response Emergency Amendment Act was clearly erroneous renders MPD's good faith defense unavailing.

MPD waived its argument that it acted in good faith reliance on PERB's case law; regardless, the argument that MPD acted in good faith does not compel the reversal of Opinion No. 1925.

IV. Conclusion

The Board finds no grounds to overturn the decision in Opinion No. 1925. Therefore, the Motion for Reconsideration is denied.

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[13] Motion for Reconsideration at 4-5.

[14] *See, generally*, MPD's Brief. Notably, MPD did not respond to the Union's arguments directly addressing the lack of availability of a good faith defense for MPD under the circumstances. Union's Brief at 9-15.

[15] *See, e.g., MPD v. FOP/MPD Labor Comm.*, Slip No. 1882 at 2, PERB Case No. 24-A-05 (2024) (holding that the parties' arguments not part of the full record before the Board in the original decision were not properly before the Board and were therefore excluded from consideration).

[16] *AFGE, Local 631 v. OLRCB, DPW, DGS, et al.*, 69 D.C. Reg. 159, Slip Op. No. 1804, PERB Case No. 22-N-02 (2022). As noted, *supra* and in Opinion No. 1925, Opinion No. 1804 is clearly distinguishable and irrelevant to the determinations in the instant case. *D.C. Police Union, Lodge #2 v. MPD*, Slip Op. 1925 at 5-6.

[17] *FOP v. PERB* at 10-13 (citing *FOP/MPD Labor Comm., D.C. Police Union, et al. v. District of Columbia, et al.*, 2022-CA-000584-P(MPA) (D.C. Super. Ct. August 25, 2022) (*FOP v. D.C.*).

[18] *H & W Construction Co., Inc.*, 161 N.L.R.B. No. 77 at 9 (Nov. 10, 1966) (holding that a respondent must present a substantial basis of believable evidence which would lead reasonably to the conclusion that it operated in good faith; otherwise, the case law would create "the absurd result that an employer's naked statement that he had a 'good-faith doubt' would be unassailable."); *see also Artcraft Mantel & Fireplace Co.*, 174 N.L.R.B. No. 110 (Feb. 25, 1969) (holding that an employer's sincere belief that the NLRB lacked jurisdiction was a mistake of law that did not provide a defense to a wrongful refusal to recognize and bargain with a union). The Board will sometimes look to NLRB or FLRA precedent for guidance when relevant, primarily when the Board's own case law is silent on a particular issue. *FOP/MPD Labor Comm. v. MPD*, Slip Op. No. 1526 at 8, PERB Case Nos. 06-U-23, et al. (2015).

ORDER

IT IS HEREBY ORDERED THAT:

1. The Motion for Reconsideration 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 Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons and Peter Winkler.

December 18, 2025.

Washington, D.C.

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Government of the District of Columbia
Public Employee Relations Board

In the Matter of:	)	
Taiwo Akintolu,	)	
Complainant	)	PERB Case No. 24-U-42
v.	)	Opinion No. 1942
District of Columbia Department of Corrections	)	Motion to Vacate
Respondent	)	CORRECTED

DECISION AND ORDER

I. Statement of the Case

On July 29, 2025, the District of Columbia Department of Corrections (DOC) filed a motion to vacate judgment (Motion),[1] requesting the Board vacate its decision in PERB Opinion No. 1904.[2] In Opinion No. 1904, the Board found that DOC violated D.C. Official Code §§ 1-617.04(a)(1) and (5) of the Comprehensive Merit Personnel Act (CMPA) by refusing to arbitrate a terminated employee's (Complainant) grievance. The Complainant did not file a response to the Motion. DOC asserts that the Board erroneously reversed its own precedent that individual employees lack standing to file complaints regarding an agency's failure to bargain with a labor organization in good faith and derivative violations of section 1-617.04(a)(1), which include interfering with, restraining, or coercing an employee in the exercise of protected rights.[3] DOC further asserts that: (1) the Board erred in ordering DOC to bargain with the Fraternal Order of Police/Department of Corrections Labor Committee (FOP), a nonparty to the case;[4] (2) Opinion No. 1904 misstates legal precedent that preempted the caselaw cited in the decision;[5] and (3) Opinion No. 1904 inappropriately relies on a disputed determinative fact—namely, whether DOC

[1] DOC filed its Motion pursuant to Board Rule 559.2, which addresses the fourteen (14)-day time limit for filing a motion for reconsideration of a Board order. DOC has already filed and withdrawn a motion for reconsideration in the instant case. If the Board were to consider the instant Motion under Board Rule 559.2, it would be untimely. However, the Board has previously considered motions to vacate under Board Rules 555.1, 502 and 561. *AFGE, Local 2725 v. DOH*, 72 D.C. Reg. 7257, Slip Op. No. 1914 at 1, PERB Case No. 24-U-41 (2025). Thus, the Board will consider the Motion under Board Rule 555.
[2] *Taiwo Akintolu v. DOC*, 72 D.C. Reg. 5594, Slip Op. No. 1904, PERB Case No. 24-U-42 (2025).
[3] Motion to Vacate at 3-6.
[4] Motion to Vacate at 6.
[5] Motion to Vacate at 7-8.

refused to arbitrate the grievance once the Superior Court enjoined the revocation of FOP's certification as an exclusive bargaining representative.[6]

For the reasons stated herein, the Motion to Vacate Opinion No. 1904 is granted.

II. Background and Procedural History[7]

On July 27, 2022, a group of FOP members filed a standards of conduct complaint alleging that FOP violated its by-laws and the standards of conduct for labor organizations as prescribed by D.C. Official Code §§ 1-617.03(a)(1) and (5).[8] On October 19, 2023, the Board issued Opinion No. 1850, finding that FOP had committed standards of conduct violations and ordering compliance by the time of a second hearing, which ultimately occurred on December 1, 2023.[9] On October 23, 2023,[10] the Complainant was suspended.[11] On January 12, 2024, DOC rescinded the Complainant's suspension and placed him on administrative leave pending discipline.[12] On February 2, 2024, DOC served the Complainant with a notice of proposed removal. On March 4, 2024, a DOC Hearing Officer recommended the Complainant undergo remedial training in lieu of termination.[13] On March 20, 2024—against the recommendation of the Hearing Officer—the DOC Director sustained the Complainant's termination.[14]

On March 28, 2024, FOP filed a grievance with DOC on the Complainant's behalf.[15] On April 9, 2024, DOC denied the grievance.[16] On April 11, 2024, FOP invoked arbitration on the Complainant's behalf.[17] On May 1, 2024, DOC emailed FOP stating that "[t]he union should contact [the Federal Mediation and Conciliation Services (FMCS)] for the panel. We need to know the rates for the arbitrators."[18] DOC further expressed its intent to dispute the arbitrability of the

[6] Motion to Vacate at 9-10.
[7] As no hearing was held in this matter, a definitive factual record was not established.
[8] *Darlene Bryant, et al. v. FOP/DOC Labor Comm.*, 70 D.C. Reg. 14894, Slip Op. No. 1850, PERB Case No. 22-S-05 (2023).
[9] *Id*. at 8-9; *Darlene Bryant, et al. v. FOP/DOC Labor Comm.*, 71 D.C. Reg. 7891, Slip Op. No. 1871 at 2, PERB Case No. 22-S-05 (2024).
[10] The Complaint states that suspension occurred on October 23, 2024. However, based on the context and the full record, that date was clearly an error.
[11] Complaint at 3.
[12] Complaint at 3.
[13] Complaint at 4.
[14] Complaint at 4.
[15] Complaint at 4.
[16] Complaint at 4.
[17] Complaint at 5.
[18] Answer at 5-6. DOC asserted that the Complaint mischaracterizes this exchange. Answer at 5-6. The Complaint stated that DOC notified the Complainant's counsel that "it was the Union's responsibility to request and pay for a panel from FMCS." Complaint at 5.

grievance.[19] On May 2, 2024, FOP requested an FMCS panel.[20] On May 7, 2024, DOC cancelled a meeting to strike the panel scheduled for that day, asserting that FOP had not followed the procedures laid out in DOC and FOP's collective bargaining agreement (CBA).[21] DOC further asserted that it had "not received a written grievance or anything adhering to the agreed upon practices," noting, "feel free to send the grievance *if it exists* – we have not received it."[22] FOP forwarded documentation to DOC.[23] On May 10, 2024, DOC and FOP met to strike the arbitration panel and successfully selected an arbitrator.[24]

On May 16, 2024, six (6) days after the parties selected an arbitrator, the Board revoked FOP's certification as an exclusive bargaining representative for failure to adhere to the standards of conduct prescribed by the CMPA.[25] Thereafter, on July 12, 2024, DOC notified FOP's counsel and the arbitrator that the Agency would no longer participate in arbitration of the grievance.[26] On September 4, 2024, the Complainant timely filed an unfair labor practice complaint (Complaint). On October 1, 2024, DOC filed its Answer to the Complaint, admitting that it would not arbitrate because FOP had lost its status as the accredited representative.[27] On October 22, 2024, the Superior Court issued an order enjoining the Board from enforcing the revocation of FOP's certification as an exclusive bargaining representative and holding that the CBA between DOC and FOP would remain in effect pending final resolution of FOP's appeal of Opinion No. 1871.[28] On October 17, 2024, the Board ordered that DOC and FOP's CBA would remain effective during the pendency of FOP's Superior Court appeal.[29]

On January 7, 2025, at PERB's direction, the parties submitted briefs addressing:

1) Whether the Complainant accrued or vested a right to arbitrate his grievance prior to the Board's revocation of FOP's certification as the exclusive bargaining representative?

[19] Complaint at 5; Answer at 6. FOP noted that the email did not include DOC's reasoning for disputing the arbitrability of the grievance. Complaint at 5. In the email, DOC expressed its doubt regarding the arbitrability of the grievance, but noted that "FOP's counsel requested to have a phone call during which the reasons for contesting the arbitrability of the matter would be discussed." Answer at 6.
[20] Complaint at 5. DOC appears to oppose FOP's request for an arbitration panel, Answer at 5-6. However, based on the record, the parties agree that FMCS provided the arbitration panel and they planned to meet on May 7, 2024, to strike the panel. Complaint at 5; Answer at 6.
[21] Complaint at 5-6; Answer at 6.
[22] Complaint at 5-6 (emphasis in original).
[23] Complaint at 6; Answer at 6-7. The parties disputed whether FOP's grievance was sufficient.
[24] Complaint at 6.
[25] *Darlene Bryant, et al.*, Slip Op. No. 1871.
[26] Complaint Ex. 3, July 12 Email, Complaint Exhibits at 69.
[27] Complaint at ¶ 31; Answer at ¶ 31.
[28] October 22, 2024, Hearing Order, Case No. 2024-CAB-003838. The Order formalized the Court's October 9, 2024 ruling. *Id*.
[29] *Darlene Bryant, et al. v. FOP/DOC Labor Comm.*, 71 D.C. Reg. 16167, Slip Op. No. 1890 at 2, PERB Case No. 22-S-05 (2024).

2) Whether DOC was obligated to proceed to arbitration after the Board revoked FOP's certification as an exclusive representative?[30]

On March 5, 2025, the Board issued Opinion No. 1904, ordering DOC to engage in arbitration with FOP—the exclusive representative for the Complainant's bargaining unit at the time—as a result of the Superior Court's order.[31]

On March 10, 2025, DOC filed a motion for reconsideration of Opinion No. 1904 (Motion for Reconsideration). On March 24, 2025, counsel for the Complainant filed a reply brief opposing the Motion for Reconsideration (Opposition).[32] On March 27, 2025, DOC filed a motion for leave to file a response to the Opposition and the accompanying response (Opposition Response). On July 10, 2025, the parties submitted a joint motion to withdraw the Motion for Reconsideration without prejudice (Joint Motion).[33] On September 11, 2025, the Superior Court upheld the Board's revocation of FOP's certification as an exclusive bargaining representative for DOC employees.[34]

III. Motion to Vacate

The Motion to Vacate asserts that exceptional circumstances justify vacatur of Opinion No. 1904. DOC argues that: (1) without explanation, the Board deviated from its precedent that only an exclusive bargaining representative has standing to assert a violation of D.C. Official Code § 1-617.04(a)(5) and concluded that DOC violated that section in a case brought by an employee;[35] (2) without explanation, for the first time, the Board concluded that an individual employee can successfully claim a derivative violation of D.C. Official Code § 1-617.04(a)(1) on the basis of a violation of D.C. Official Code § 1-617.04(a)(5);[36] (3) Opinion No. 1904 contained a clear legal error, as it misinterpreted the law and included preempted Board precedent;[37] and (4) the Board relied on a disputed determinative fact.[38]

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[30] *See, generally*, Complainant's Brief; DOC's Brief. The Board notes that the Complainant's counsel signed the Complaint as "Attorneys for Taiwon [sic] Akintolu," but thereafter signed pleadings as "Counsel for Taiwo Akintolu and FOP/DOC."
[31] *Taiwo Akintolu*, Slip Op. No. 1904 at 5-6.
[32] The Board notes that the Opposition case caption included "FOP/DOC" as a Complainant, despite the Union never having filed a request to intervene, as required under Board Rule 502.15, or acknowledged its goal of becoming a Complainant. *See, generally*, Complainant's Reply Brief in Response to Agency's Motion for Reconsideration.
[33] The Joint Motion included the following stipulation of fact:

> Both Parties also concede that the Agency did not explicitly refuse to arbitrate the underlying matter once FOP regained its certification, however, it did request that the matter be resolved through an order from the D.C. Superior Court to compel arbitration. As such, the PERB's determination in its March 5, 2025 decision in this matter that DOC had summarily refused to arbitrate the Complainant's grievance is not entirely accurate; the Agency only refused to arbitrate the matter after FOP's recognition as the exclusive bargaining representative was revoked. The Agency concedes that it has an obligation to arbitrate this matter.

Joint Motion at 4.
[34] *FOP/DOC Labor Comm. v. PERB*, Case No. 2024-CAB-003838 (D.C. Super. Ct. Sept. 11, 2025).
[35] Motion to Vacate at 3-5.
[36] Motion to Vacate at 5-6.
[37] Motion to Vacate at 7-8.
[38] Motion to Vacate at 9.

IV. Discussion

The standard for vacatur—established under *U.S. Bancorp Mortgage Co. v. Bonner Mall* (*Bancorp*)[39]—requires a showing of exceptional circumstances to override the judicial and public interests in the finality of judgments.[40] In *Bancorp*, the Supreme Court held that judicial precedents serve the public interest and "are not merely the property of private litigants,"[41] and, therefore, "should stand unless a court concludes that the public interest would be served by a vacatur."[42] The D.C. Superior Court has held that, considering the goal of respecting the finality of judgments, providing post-judgment relief will only occur "under **exceptional circumstances**, in unusual and extraordinary situations justifying an exception to the overriding policy of finality, or where the judgment may work an extreme and undue hardship."[43]

DOC argues that Opinion No. 1904 deviated from longstanding precedent that only a union has standing to assert a violation of D.C. Official Code § 1-517.04(a)(5) or a derivative violation of D.C. Official Code § 1-617.04(a)(1).[44] The instant case admittedly comprises unique circumstances. FOP's status remained unsettled throughout the life of the case. However, the issue of whether FOP was the exclusive representative of the Complainant's bargaining unit at any given moment during the instant case has no bearing on the Complainant's lack of standing to file a claim asserting a refusal to bargain under D.C. Official Code § 1-617.04(a)(5), or a derivative violation

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[39] *U.S. Bancorp Mortgage Co.*, 413 U.S. 18 (1994) (denying a motion to vacate based on mootness by reason of settlement).

[40] *Id*. at 27-28; *see also Kids Holding, Inc. v. Hinojosa*, 311 A.3d 910, 915 (D.C. 2024) (holding that "[T]he purpose of [Super. Ct. Civ. R.] 60(b) is to respect the finality of judgments by providing post-judgment relief only under **exceptional circumstances**, in unusual and extraordinary situations justifying an exception to the overriding policy of finality, or where the judgment may work an extreme and undue hardship"; D.C. Superior Court Civil Rule 60(b), GROUNDS FOR RELIEF FROM A FINAL JUDGMENT, ORDER OR PROCEEDING (emphasis added), which states that:

> On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:
>
> (1) mistake, inadvertence, surprise, or excusable neglect;
>
> (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
>
> (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
>
> (4) the judgment is void;
>
> (5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or
>
> (6) any other reason that justifies relief.

D.C. Super. Ct. Civ. R. 60(b).

[41] *U.S. Bancorp Mortgage Co.* at 26.

[42] *Id*; *see also AFGE, Local 1403 v. OAG*, 59 D.C. Reg. 5066, Slip Op. No. 973 at 2-3, PERB Case No. 06-U-01 (2012) (denying a joint motion to vacate because the parties did not proffer public interest and did not meet the "exceptional circumstances" standard).

[43] *Kids Holdings, Inc. v. Hinojosa*, 311 A.3d 910, 915 (D.C. 2024) (emphasis in original).

[44] Motion at 3-6.

of D.C. Official Code § 1-617.04(a)(1).[45] Opinion No. 1904 does not address the issue of the Complainant's standing to file a complaint in the first place.[46] Nor does the Opinion explain the decision to include FOP as a party without any request to intervene, despite ordering DOC to engage in arbitration with FOP.[47] Once enjoined by the Superior Court from enforcing its revocation of FOP's certification, PERB operated as if FOP was a party, allowing FOP to assert itself more and more in the pleadings without directly addressing FOP's status or requesting intervention in this matter.[48] The record contains no acknowledgement of FOP as party. Under these circumstances, PERB issued an order which inappropriately granted claims that the individual Complainant lacked standing to seek redress for and granted relief directly to FOP, a nonparty to the case.[49]

V. Conclusion

DOC has presented exceptional circumstances that justify the extraordinary relief of vacating a final decision by the Board. Therefore, the Board grants DOC's Motion to Vacate Judgment of Opinion No. 1904.[50]

[45] *See Charles E. Pitt v. DOC and FOP/DOC Labor Comm.*, 59 D.C. Reg. 5554, Slip Op. No. 998 at 4 (2012) (holding that under the express language of D.C. Official Code § 1-617.04(a)(5), an individual bargaining unit member lacked standing to assert a violation of that section).
[46] *See, generally, Taiwo Akintolu*, Slip Op. No. 1904.
[47] *See, generally, id*. The Board notes that Opinion No. 1904 included a single instance of framing a claim as coming from FOP, rather than the Complainant. *Id.* at 3 (fn. 19).
[48] *See, generally*, Complainant's Brief; Complainant's Reply Brief in Response to Agency's Motion for Reconsideration; Joint Motion to Withdraw Motion for Reconsideration.
[49] The Board need not make an explicit ruling on the claim that the Board relied on disputed fact in Opinion No. 1904, as the Complainant's lack of standing—as well as FOP's improper intervention in the case—are sufficient to justify vacatur. Further, the Board need not address DOC's argument that Opinion No. 1904 misinterpreted case law regarding arbitrability, as DOC asserts that it has agreed to arbitrate this grievance. Motion to Vacate at 7-8.
[50] This decision was issued contemporaneously with Opinion No. 1943 in PERB Case No. 24-U-43, which presented the same issues and resulted in the same determinations by the Board.

ORDER

IT IS HEREBY ORDERED THAT:

1. The District of Columbia Metropolitan Police Department's Motion to Vacate is granted;

2. PERB Opinion No. 1904 is vacated in its entirety; and

3. 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 Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons and Peter Winkler.

December 18, 2025.

Washington, DC

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.

Notice: This decision may be formally revised 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:	)	
Stephen Amobi,	)	
Complainant	)	PERB Case No. 24-U-43
v.	)	Opinion No. 1943
District of Columbia Department of Corrections	)	Motion to Vacate
Respondent	)	CORRECTED

DECISION AND ORDER

I. Statement of the Case

On July 29, 2025, the District of Columbia Department of Corrections (DOC) filed a motion to vacate judgment (Motion),[1] requesting the Board vacate its decision in PERB Opinion No. 1905.[2] In Opinion No. 1905, the Board found that DOC violated D.C. Official Code §§ 1-617.04(a)(1) and (5) of the Comprehensive Merit Personnel Act (CMPA) by refusing to arbitrate a suspended employee's (Complainant) grievance regarding a thirty (30) day suspension without pay. The Complainant did not file a response to the Motion. DOC asserts that the Board erroneously reversed its own precedent that individual employees lack standing to file complaints regarding an agency's failure to bargain with a labor organization in good faith and derivative violations of Section 1-617.04(a)(1), which include interfering with, restraining, or coercing an employee in the exercise of protected rights.[3] DOC further asserts that: (1) the Board erred in ordering DOC to bargain with the Fraternal Order of Police/Department of Corrections Labor Committee (FOP), a nonparty to the case;[4] (2) Opinion No. 1905 misstates legal precedent that preempted the caselaw cited in the decision;[5] and (3) Opinion No. 1905 inappropriately relies on

[1] DOC filed its Motion pursuant to Board Rule 559.2, which addresses the fourteen (14)-day time limit for filing a motion for reconsideration of a Board order. DOC has already filed and withdrawn a motion for reconsideration in the instant case. If the Board were to consider the instant Motion under Board Rule 559.2, it would be untimely. However, the Board has previously considered motions to vacate under Board Rules 555.1, 502 and 561. *AFGE, Local 2725 v. DOH*, 72 D.C. Reg. 7257, Slip Op. No. 1914 at 1, PERB Case No. 24-U-41 (2025). Thus, the Board will consider the Motion under to Board Rule 555.
[2] *Stephen Amobi v. DOC*, 72 D.C. Reg. 5594, Slip Op. No. 1905, PERB Case No. 24-U-42 (2025).
[3] Motion to Vacate at 3-6.
[4] Motion to Vacate at 3-4.
[5] Motion to Vacate at 7-8.

a disputed determinative fact—namely, whether DOC refused to arbitrate the grievance once the Superior Court enjoined the revocation of FOP's certification as an exclusive bargaining representative.[6]

For the reasons stated herein, the Motion to Vacate Opinion No. 1905 is granted.

II. Background and Procedural History[7]

On July 27, 2022, a group of FOP members filed a standards of conduct complaint alleging that FOP violated its by-laws and the standards of conduct for labor organizations as prescribed by D.C. Official Code §§ 1-617.03(a)(1) and (5).[8] On October 19, 2023, the Board issued Opinion No. 1850, finding that FOP had committed standards of conduct violations and ordering compliance by the time of a second hearing, which ultimately occurred on December 1, 2023.[9] On March 7, 2023,[10] the Complainant was assigned to escort an inmate who escaped from custody while receiving medical care.[11] On August 29, 2023, the Complainant received a Proposal for Removal regarding his alleged role in the inmate's escape.[12] The Complainant challenged the Proposal for Removal.[13] On October 5, 2023, a DOC Hearing Officer found that DOC had failed to justify the Complainant's removal.[14] On December 7, 2023, the DOC Director issued a decision sustaining the charges against the Complainant and ordering a thirty (30) day suspension without pay in lieu of removal.[15]

On December 9, 2023, the Complainant filed a written grievance challenging his suspension with the DOC Director.[16] DOC did not respond to the Complainant's grievance.[17] On January 5, 2024, FOP invoked arbitration on the Complainant's behalf.[18] That same day, the Complainant filed a petition for review with the Office of Employee Appeals (OEA), believing this was a necessary step in effectuating his rights.[19] Before the Board, the Complainant asserts that on January 10, 2024, his counsel inquired with the Office of Labor Relations and Collective Bargaining (OLRCB) regarding the status of his arbitration.[20] On January 12, 2024, counsel for the Complainant requested a Federal Mediation and Conciliation Services (FMCS) arbitrator.[21]

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[6] Motion to Vacate at 8-10.
[7] As no hearing was held in this matter, a definitive factual record was not established.
[8] *Darlene Bryant, et al. v. FOP/DOC Labor Comm.*, 70 D.C. Reg. 14894, Slip Op. No. 1850, PERB Case No. 22-S-05 (2023).
[9] *Id*. at 8-9; *Darlene Bryant, et al. v. FOP/DOC Labor Comm.*, 71 D.C. Reg. 7891, Slip Op. No. 1871 at 2, PERB Case No. 22-S-05 (2024).
[10] Complaint at 3.
[11] Complaint at 3.
[12] Complaint at 3.
[13] Complaint at 4.
[14] Complaint at 4.
[15] Complaint at 4. The suspension occurred from December 11, 2023, through January 10, 2024. Complaint at 4.
[16] Complaint at 4.
[17] Complaint at 5; Answer at 3.
[18] Complaint at 5.
[19] Complaint at 5.
[20] Complaint at 5.
[21] Complaint at 5.

FOP attempted to contact OLRCB several times from January 26, 2024 through August 8, 2024; OLRCB did not respond and/or refused to arbitrate the grievance because of the ongoing OEA petition.[22]

On May 16, 2024, the Board revoked FOP's certification as an exclusive bargaining representative for failure to adhere to the standards of conduct prescribed by the CMPA.[23] On July 16, 2024, OEA issued a decision dismissing the Complainant's petition for lack of jurisdiction.[24] On July 30, 2024, the Complainant's counsel again requested information on next steps for arbitration from OLRCB.[25] On August 8, 2024, DOC—through OLRCB—declined to participate in arbitration on the basis that agencies do not arbitrate cases brought by a labor organization that is not the exclusive representative of the disciplined employee.[26] On September 5, 2024, the Complainant timely filed an unfair labor practice complaint (Complaint). On October 22, 2024, the Superior Court issued an order enjoining the Board from enforcing the revocation of FOP's certification as an exclusive bargaining representative and holding that the collective bargaining agreement (CBA) between DOC and FOP would remain in effect pending final resolution of FOP's appeal of Opinion No. 1871.[27] On October 17, 2024, the Board ordered that DOC and FOP's CBA would remain effective during the pendency of FOP's Superior Court appeal.[28] On January 7, 2025, at PERB's direction, the parties submitted briefs addressing:

1) Whether the Complainant accrued or vested a right to arbitrate his grievance prior to the Board's revocation of FOP's certification as the exclusive bargaining representative?
2) Whether the Complainant's submission of an appeal to OEA affected the Complainant's right to arbitrate?
3) Whether DOC was obligated to proceed to arbitration after the Board revoked FOP's certification as an exclusive representative?[29]

On March 5, 2025, the Board issued Opinion No. 1905, ordering DOC to engage in arbitration with FOP—the exclusive representative for the Complainant's bargaining unit at the time—as a result of the Superior Court's order.[30] On March 10, 2025, DOC filed a motion for reconsideration

[22] Complaint at 6-7.
[23] *Darlene Bryant, et al.*, Slip Op. No. 1871.
[24] Complaint at 6. OEA determined that it did not have jurisdiction because the Complainant had "chosen his avenue for relief when he first filed a grievance" under the CBA. Complaint at 6. The Complainant contends that DOC "vigorously contested" OEA's jurisdiction on the same basis, asserting that the parties' negotiated grievance procedure was a "binding decision." Complaint at 6. DOC does not dispute this contention. Answer at 4.
[25] Complaint at 6.
[26] Complaint at ¶ 32; Answer at ¶ 32.
[27] October 22, 2024, Hearing Order, Case No. 2024-CAB-003838. The Order formalized the ruling the Court had made at hearing on October 9, 2024. *Id*.
[28] *Darlene Bryant, et al. v. FOP/DOC Labor Comm.*, 71 D.C. Reg. 16167, Slip Op. No. 1890 at 2, PERB Case No. 22-S-05 (2024).
[29] *See, generally*, Complainant's Brief; DOC's Brief. The Board notes that the Opposition's case caption included "FOP/DOC" as a Complainant despite the Union never having filed a request to intervene, as required under Board Rule 502.15, or acknowledged its goal of becoming a Complaint. *See, generally*, Complainant's Reply Brief in Response to Agency's Motion for Reconsideration.
[30] *Stephen Amobi*, Slip Op. No. 1905 at 5-6.

of Opinion No. 1905 (Motion for Reconsideration). On March 24, 2025, counsel for the Complainant filed a reply brief opposing the Motion for Reconsideration (Opposition).[31] On July 10, 2025, the parties submitted a joint motion to withdraw the Motion for Reconsideration without prejudice (Joint Motion).[32] On September 11, 2025, the Superior Court upheld the Board's revocation of FOP's certification as an exclusive bargaining representative for DOC employees.[33]

III. Motion to Vacate

The Motion to Vacate asserts that exceptional circumstances justify vacatur of Opinion No. 1905. DOC argues that: (1) without explanation, the Board deviated from its precedent that only an exclusive bargaining representative has standing to assert a violation of D.C. Official Code § 1-617.04(a)(5) and concluded that DOC violated that section in a case brought by an employee;[34] (2) without explanation, for the first time, the Board concluded that an individual employee can successfully claim a derivative violation of D.C. Official Code § 1-617.04(a)(1) on the basis of a violation of D.C. Official Code § 1-617.04(a)(5);[35] (3) Opinion No. 1905 contained a clear legal error, as it misinterpreted the law and included preempted Board precedent;[36] and (4) the Board relied on a disputed determinative fact.[37]

IV. Discussion

The standard for vacatur—established under *U.S. Bancorp Mortgage Co. v. Bonner Mall* (*Bancorp*)[38]—requires a showing of exceptional circumstances to override the judicial and public interests in the finality of judgments.[39] In *Bancorp*, the Supreme Court held that judicial

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[31] The Board notes that the Complainant added "FOP/DOC" as a Complainant in the case caption for its Opposition without ever filing a request to intervene, as required by Board Rule 502.15, or acknowledging the attempted addition of FOP as a Complainant. *See, generally*, Complainant's Reply Brief in Response to Agency's Motion for Reconsideration.

[32] The Joint Motion included the following stipulation of fact:

> Both Parties also concede that the Agency did not explicitly refuse to arbitrate the underlying matter once FOP regained its certification, however, it did request that the matter be resolved through an order from the D.C. Superior Court to compel arbitration. As such, the PERB's determination in its March 5, 2025 decision in this matter that DOC had summarily refused to arbitrate the Complainant's grievance is not entirely accurate; the Agency only refused to arbitrate the matter after FOP's recognition as the exclusive bargaining representative was revoked. The Agency concedes that it has an obligation to arbitrate this matter.

Joint Motion at 4.

[33] *FOP/DOC Labor Comm. v. PERB*, Case No. 2024-CAB-003838 (D.C. Super. Ct. Sept. 11, 2025).

[34] Motion to Vacate at 3-5.

[35] Motion to Vacate at 5-6.

[36] Motion to Vacate at 7-8.

[37] Motion to Vacate at 9.

[38] *U.S. Bancorp Mortgage Co.*, 413 U.S. 18 (1994) (denying a motion to vacate based on mootness by reason of settlement).

[39] *U.S. Bancorp Mortgage Co.* at 27-28; *see also Kids Holding, Inc. v. Hinojosa*, 311 A.3d 910, 915 (D.C. 2024) (holding that "[T]he purpose of [Super. Ct. Civ. R.] 60(b) is to respect the finality of judgments by providing post-judgment relief only under **exceptional circumstances**, in unusual and extraordinary situations justifying an exception

precedents "serve the public interest and are not merely the property of private litigants,"[40] and, therefore, "should remain in place 'unless a court concludes that the public interest would be served by a vacatur.'"[41] The D.C. Superior Court has held that, considering the goal of respecting the finality of judgments, providing post-judgment relief will only occur "under **exceptional circumstances**, in unusual and extraordinary situations justifying an exception to the overriding policy of finality, or where the judgment may work an extreme and undue hardship."[42]

DOC argues that Opinion No. 1905 deviated from longstanding precedent that only a union has standing to assert a violation of D.C. Official Code § 1-517.04(a)(5) or a derivative violation of D.C. Official Code § 1-617.04(a)(1).[43] The instant case admittedly comprises unique circumstances. FOP's status remained unsettled throughout the life of the case. However, the issue of whether FOP was the exclusive representative of the Complainant's bargaining unit at any given moment during the instant case has no bearing on the Complainant's lack of standing to file a claim asserting a refusal to bargain under D.C. Official Code § 1-617.04(a)(5), or a derivative violation of D.C. Official Code § 1-617.04(a)(1).[44] Opinion No. 1905 does not address the issue of the Complainant's standing to file a complaint in the first place.[45] Nor does the Opinion explain the decision to include FOP as a party without any request to intervene, despite ordering DOC to engage in arbitration with FOP.[46] Once enjoined by the Superior Court from enforcing its revocation of FOP's certification, PERB operated as if FOP was a party, allowing FOP to assert itself more and more in the pleadings without directly addressing FOP's status or requesting intervention in this matter. The record contains no acknowledgement of FOP as a party. Under these circumstances, PERB issued an order which inappropriately granted claims that the

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to the overriding policy of finality, or where the judgment may work an extreme and undue hardship"; D.C. Superior Court Civil Rule 60(b), GROUNDS FOR RELIEF FROM A FINAL JUDGMENT, ORDER OR PROCEEDING (emphasis added), which states that:

> On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:
> (1) mistake, inadvertence, surprise, or excusable neglect;
> (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
> (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
> (4) the judgment is void;
> (5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or
> (6) any other reason that justifies relief.

D.C. Super. Ct. Civ. R. 60(b).

[40] *U.S. Bancorp Mortgage Co.* at 26.

[41] *Id*; *see also AFGE, Local 1403 v. OAG*, 59 D.C. Reg. 5066, Slip Op. No. 973 at 2-3, PERB Case No. 06-U-01 (2012) (denying a joint motion to vacate because the parties did not proffer public interest and did not meet the "exceptional circumstances" standard).

[42] *Kids Holdings, Inc. v. Hinojosa*, 311 A.3d 910, 915 (D.C. 2024) (emphasis in original).

[43] Motion at 3-6.

[44] *See Charles E. Pitt v. DOC and FOP/DOC Labor Comm.*, 59 D.C. Reg. 5554, Slip Op. No. 998 at 4 (2012) (holding that under the express language of D.C. Official Code § 1-617.04(a)(5), an individual bargaining unit member lacked standing to assert a violation of that section).

[45] *See, generally, Stephen Amobi v. DOC*, Slip Op. No. 1905.

[46] *See, generally, Stephen Amobi v. DOC*, Slip Op. No. 1905.

individual Complainant lacked standing to seek redress for and granted relief directly to FOP, a nonparty to the case.[47]

V. Conclusion

DOC has presented exceptional circumstances that justify the extraordinary relief of vacating a final decision by the Board. Therefore, the Board grants DOC's Motion to Vacate Judgment of Opinion No. 1905.[48]

ORDER

IT IS HEREBY ORDERED THAT:

1. The District of Columbia Metropolitan Police Department's Motion to Vacate is granted;

2. PERB Opinion No. 1905 is vacated in its entirety; and

3. 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 Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons and Peter Winkler.

December 18, 2025.

Washington, D.C.

[47] The Board need not make an explicit ruling on the claim that the Board relied on disputed fact in Opinion No. 1905, as the Complainant's lack of standing—as well as FOP's improper intervention in the case—are sufficient to justify vacatur. Further, the Board need not address DOC's argument that Opinion No. 1905 misinterpreted case law regarding arbitrability, as DOC asserts that it has agreed to arbitrate this grievance.

[48] This decision was issued contemporaneously with Opinion No. 1942 in PERB Case No. 24-U-42, which presented the same issues and resulted in the same determinations by the Board.

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.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL TARIFF

FORMAL CASE NO. 1155, IN THE MATTER OF THE APPLICATION OF THE POTOMAC ELECTRIC POWER COMPANY FOR APPROVAL OF ITS TRANSPORTATION ELECTRIFICATION PROGRAM,

and

ELECTRIC TARIFF 2022-06, IN THE MATTER OF THE POTOMAC ELECTRIC POWER COMPANY'S PLUG-IN-VEHICLE – GREEN RIDER TARIFF RATE, P.S.C.-D.C. No. 1,

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice, pursuant to Sections 34-802 and 2-505 of the District of Columbia Code,[1] of its final action approving the Potomac Electric Power Company's (Pepco) Rider Plug-In Vehicle Green (Rider PIV-Green) tariff rate.

2. On November 21, 2025, Pepco filed a tariff amendment modifying the Rider PIV-Green rate from $0.02913 per kilowatt-hour to $0.02408 per kilowatt-hour.[2] The Rider PIV-Green is currently available to customers under Schedule R-PIV and provides 100% renewable energy if the customer opts into Schedule R-PIV. This rider is generally updated around February 1 and August 1 of each year based on up-to-date market prices and District of Columbia Renewable Portfolio Standards. Pepco proposes to amend the following tariff pages to reflect the update to its Rider PIV-Green rate.

ELECTRICITY TARIFF, P.S.C.-D.C. No. 1
(Former) One Hundred-Seventieth Revised Page No. R-1
(New) One Hundred-Seventy-First Revised Page No. R-1

(Former) One Hundred-Seventy-Third Revised Page No. 2
(New) One Hundred-Seventy-Fourth Revised Page No. 2

(Former) One Hundred-Sixty-Sixth Revised Page No. 2.1
(New) One Hundred-Sixty-Seventh Revised Page No. 2.1

(Former) One Hundred-Sixty-Third Revised Page No. 2.2
(New) One Hundred-Sixty-Fourth Revised Page No. 2.2

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[1] D.C. Code § 2-505 and D.C. Code § 34-802.

[2] *Formal Case No. 1155*, *In the Matter of the Application of the Potomac Electric Power Company for Approval of its Transportation Electrification Program* ("*Formal Case No. 1155*"), and *Electric Tariff 2022-06*, *In the Matter of Potomac Electric Power Company's Plug-In-Vehicle-Green Rider Tariff Rate*, *P.S.C.-DC. No. 1* ("*ET2022-06*"), Potomac Electric Power Company's Proposed Green Rider Tariff Update, filed November 21, 2025.

(Former) Thirteenth Page No. R-57
(New) Fourteenth Page No. R-57

3. On December 19, 2025, the Commission published a Notice of Proposed Tariff (NOPT) in the *D.C. Register* inviting public comment on Pepco's tariff amendment.[3] No parties filed comments in response to the NOPT. The Commission, at its regularly scheduled Open Meeting, held on February 18, 2026, took final action approving Pepco's updated rate associated with Rider PIV-Green. The updated rate shall become effective upon publication of this Notice of Final Tariff in the *D.C. Register*.

A TRUE COPY: **BY DIRECTION OF THE COMMISSION:**

CHIEF CLERK: **BRINDA WESTBROOK-SEDGWICK**
COMMISSION SECRETARY

[3] *72 D.C. Reg.* 014148-014149 (December 19, 2025).

DISTRICT OF COLUMBIA RETIREMENT BOARD

NOTICE OF PUBLIC INTEREST

CERTIFICATION OF WINNER OF THE ELECTION TO SERVE AS THE ACTIVE TEACHER MEMBER OF THE BOARD

The District of Columbia Retirement Board (the "Board") is required to conduct elections for its member representatives to the Board. *See* D.C. Official Code § l-711(b)(2)(2001). In accordance with the Board's Rules for the Election of Members to the Board ("Election Rules") under Chapter 15 of Title 7 of the District of Columbia Municipal Regulations ("DCMR"), the Board, through election manager YesElections, conducted an election for a District of Columbia Active Teacher to serve on the Board.

The ballots were counted on February 9, 2026, by YesElections under the virtual supervision of Board representatives.

YesElections submitted the Certification of Results to the Board on February 9, 2026. Pursuant to the Election Rules at 7 DCMR § 1522, the Board hereby certifies the results of the election and declares the winner to be Michael Bethea, an active District of Columbia Public Schools teacher.

Pursuant to the Election Rules at 7 DCMR § 1523, any eligible candidate for this election may petition the Board in writing for a recount of votes within seven (7) calendar days of the date of publication of the certification of the winner. The petition must be filed in writing with YesElections via email at aalbaiiese@election-america.com or via postal mail at 1775 Eye Street NW, Suite 1150, Washington, D.C., 20006. In the absence of a timely request for a recount, the election results will become final and cannot be appealed thirty (30) days after this publication of the Board's certification.

The Election Rules and Certification of Result can be found on the DCRB website, at:

http://www.dcrb.dc.gov

Please address any questions regarding this notice to:

Gianpiero (JP) Balestrieri, Executive Director
District of Columbia Retirement Board 900 7th Street, N.W.,
2nd Floor
Washington, D.C. 20001

ST. COLETTA OF GREATER WASHINGTON PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

SECURITY SERVICES

St. Coletta of Greater Washington is seeking proposals from prospective candidates to provide uniformed and unarmed security services at the St. Coletta Special Education Public Charter School campus located at 1901 Independence Ave, SE, Washington, DC 20003.

For more information, please request the full Security Services RFP, by emailing the Director of Facilities, Derek Graham, at derek.graham@stcoletta.org.

To be considered, proposals must appropriately address all areas outlined in the full RFP and be submitted via email to derek.graham@stcoletta.org no later than 4:00 PM on March 27, 2026.

TWO RIVERS PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Occupational Therapy and Physical Therapy Services

Two Rivers PCS is seeking a company or companies to provide Occupational Therapy Services and Physical Therapy Services in grades PS-8, provided by licensed therapists. For a copy of the RFP, email Jade Bryant at **procurement@tworiverspcs.org**. Proposals are due by March 13, 2026.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Human Resources and Labor Relations Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Human Resources and Labor Relations Committee will hold a meeting via Microsoft Teams on Wednesday, March 11, 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 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 will be posted to DC Water's website at www.dcwater.com, which will include the remote access information for this meeting.

For additional information, please contact Michelle Rhodd, Board Secretary at (202) 787-2331 or Michelle.Rhodd@dcwater.com.

DRAFT AGENDA

1. Call to Order	Committee Chairperson
2. Action Items	Chief People and Inclusion Officer and EVP, People and Talent
3. Other Business	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. 21381
Institute of Caribbean Studies
1106 3rd Street, N.E. (Square 748, Lots 72 and 824)

HEARING DATE: December 3, 2025
DECISION DATES: December 3 and December 10, 2025, February 11, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a third story and a three-story rear addition and convert to office and residential uses, at an existing, semi-detached, two-story building in the PDR-1 zone:

- Special Exception from the transition setback requirements of Subtitle J § 210.1, pursuant to Subtitle J § 5200 and Subtitle X § 901.2
- Use Variance from the matter-of-right uses of Subtitle U § 801, pursuant to Subtitle X § 1002 to allow a residential use (two principal dwelling units)

The zoning relief requested in this case was self-certified. (Exhibit 4.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 6C, 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 November 12, 2025, at which a quorum was present, the ANC voted to support the application on the condition that the Applicant engage in good faith with the adjacent owner at 1108 3rd Street and nearby neighbors. (Exhibit 28.) The Board did not adopt the ANC's condition but addressed the interaction between the neighbors during deliberations.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 23.)

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 24.)

DISTRICT DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT ("DHCD") LETTER. The Applicant submitted a letter from DHCD in support of the application. (Exhibit 32A.)

PUBLIC INPUT. Two neighbors testified at the public hearing of December 3, 2025. The neighbors expressed neither support for, nor opposition to, the application; but addressed concerns about impacts of the proposal, which the Applicant addressed.

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 and variance 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;
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief;
- 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:

- Special Exception from the transition setback requirements of Subtitle J § 210.1, pursuant to Subtitle J § 5200 and Subtitle X § 901.2
- Use Variance from the matter-of-right uses of Subtitle U § 801, pursuant to Subtitle X § 1002 to allow a residential use (two principal dwelling units)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 6 of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **3-0-2** (Carl H. Blake, Brittney Drakeford, and Joseph S. Imamura to APPROVE; two Board seats 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: February 18, 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 § 703.14, 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.

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. 21403
David William Lawrence and Madeline Britvec
1448 Spring Road, N.W. (Square 2690, Lot 48)

HEARING DATE: February 11, 2026[1]
DECISION DATE: February 11, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a first-floor rear deck addition to an existing, attached, two-story pus cellar, principal dwelling unit in the RF-1 zone:

- Special Exception from the rear yard requirements of Subtitle E § 207.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (*minimum of 20 ft. required; 28 ft. existing; 18 ft. proposed*)
- Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (*maximum of 60% permitted; 56.4% existing; 69.6% proposed*)

The application was accompanied by a memorandum from the Zoning Administrator, certifying the required relief. (Exhibit 4.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commissions ("**ANCs**") 1D and 4C, the "affected ANCs" 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 REPORTS. ANC 1D's report indicated that at a regularly scheduled, properly noticed public meeting on December 16, 2025, at which a quorum was present, the ANC voted to support the application. (Exhibit 23.) The ANC report raised no issues or concerns.

ANC 4C's report indicated that at a regularly scheduled, properly noticed public meeting on November 12, 2025, at which a quorum was present, the ANC voted to support the application.

[1] The application was originally noticed for hearing on February 4, 2026, but was administratively rescheduled to February 11, 2026.

(Exhibit 19.) The ANC report raised no issues or concerns.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 24.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report to the record for this application.

PERSONS IN SUPPORT. The Board received three letters from neighbors in support of the application. (Exhibits 16-18.)

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 E § 207.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (*minimum of 20 ft. required; 28 ft. existing; 18 ft. proposed*)
- Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (*maximum of 60% permitted; 56.4% existing; 69.6% proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 5 of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **3-0-2** (Carl H. Blake, Brittney Drakeford, and Tammy M. Stidham to APPROVE; two Board seats 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: February 18, 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 § 703.14, 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.

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. 21407
Michael and Nicole Murali
1325 Sheridan Street, NW (Square 2788, Lot 91)

HEARING DATE: Applicant waived the right to a public hearing
DECISION DATE: February 11, 2026[1] (Expedited Review Calendar)

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a first-floor rear deck addition to an existing, attached, two-story plus cellar, principal dwelling unit in the R-3 zone:

- Special exception from the rear yard requirements of Subtitle D § 207.1, pursuant to Subtitle D § 5201.1 and Subtitle X § 901.2 (*20 feet minimum required; 30 feet existing; 14 feet proposed*)

The application was accompanied by a memorandum from the Zoning Administrator, certifying the required relief. (Exhibit 4.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 4A, 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).

EXPEDITED REVIEW. Pursuant to 11 DCMR Subtitle Y § 401, this application was tentatively placed on the Board of Zoning Adjustment (the "**Board**" or "**BZA**") expedited review calendar for decision as a result of the Applicant's waiver of its right to a hearing. No objections to expedited review consideration were made by any person or entity entitled to do so under Subtitle Y §§ 401.7 and 401.8.

NOTICE OF THE APPLICATION AND PUBLIC HEARING. 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 November 4, 2025, at which a quorum was present, the ANC voted to support the application. (Exhibit 19.) The ANC report raised no issues or concerns.

[1] The application was originally scheduled for the February 4th public meeting and administratively rescheduled to February 11th.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 17.)

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 rear yard requirements of Subtitle D § 207.1, pursuant to Subtitle D § 5201.1 and Subtitle X § 901.2 (*20 feet minimum required; 30 feet existing; 14 feet proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 5 of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **3-0-2** (Carl H. Blake, Brittney Drakeford, and Tammy M. Stidham to APPROVE; two Board seats 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: February 18, 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 § 703.14, 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.

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. 21408
Kristin Clark
3295 Fort Lincoln Drive, NE (Square 4325, Lot 995)

HEARING DATE: February 11, 2026
DECISION DATE: February 11, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a rear deck addition to an existing, attached, three-story, principal dwelling unit in the RA-1 zone:

- Special Exception from the rear yard requirements of Subtitle F § 207.1, pursuant to Subtitle F § 5201 and Subtitle X § 901.2 (*20 feet minimum required; 22.5 feet existing; 12.5 feet proposed*)
- Special Exception from the lot occupancy requirements of Subtitle F § 210.1, pursuant to Subtitle F § 5201 and Subtitle X § 901.2 (*40% maximum permitted; 40% existing; 49% proposed*)

The application was accompanied by a memorandum from the Zoning Administrator, certifying the required relief. (Exhibits 20, 8.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 5C, 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 a report to the record.

ANC SMD 5C01 Commission Konyka Dunson submitted a letter stating no objection to the application. (Exhibit 23.)

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 19.)

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 rear yard requirements of Subtitle F § 207.1, pursuant to Subtitle F § 5201 and Subtitle X § 901.2 (*20 feet minimum required; 22.5 feet existing; 12.5 feet proposed*)
- Special Exception from the lot occupancy requirements of Subtitle F § 210.1, pursuant to Subtitle F § 5201 and Subtitle X § 901.2 (*40% maximum permitted; 40% existing; 49% proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibits 4, 20 (page 6) of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **3-0-2** (Carl H. Blake, Brittney Drakeford, and Tammy M. Stidham to APPROVE; two Board seats 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: February 18, 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 § 703.14, 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.

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. 21409
Valley Vista Condo Association
2032 Belmont Road, NW (Square 2541, Lot 32)

HEARING DATE: February 11, 2026
DECISION DATE: February 11, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a loading berth at an existing, detached, six-story plus basement apartment house in the RA-2 zone:

- Special exception from the loading requirements of Subtitle C § 901.1, pursuant to Subtitle C § 909 and Subtitle X § 901.2 (*1 loading berth and 1 service space required; 1 loading berth and 0 service spaces proposed*)
- Special exception from the loading size and layout requirements of Subtitle C § 905.4, pursuant to Subtitle C § 909 and Subtitle X § 901.2 (*loading platform required; none proposed)*)
- Special exception from the loading screening and lighting requirements of Subtitle C § 908, pursuant to Subtitle C § 909 and Subtitle X § 901.2 (*screening required; none proposed*)

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**") 1C, 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 1C did not submit a report to the record.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 28.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT submitted a report indicating that it had no objection to the application on the condition the proposed loading

management plan (LMP) be adopted. (Exhibit 29.) The Board adopted the LMP proposed by the Applicant. (Exhibit 32.)

PERSONS IN OPPOSITION. The Board received two letters and one petition signed by eight neighbors representing five properties in opposition to the application. (Exhibits 24-26.)

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 loading requirements of Subtitle C § 901.1, pursuant to Subtitle C § 909 and Subtitle X § 901.2 (*1 loading berth and 1 service space required; 1 loading berth and 0 service spaces proposed*)
- Special exception from the loading size and layout requirements of Subtitle C § 905.4, pursuant to Subtitle C § 909 and Subtitle X § 901.2 (*loading platform required; none proposed)*)
- Special exception from the loading screening and lighting requirements of Subtitle C § 908, pursuant to Subtitle C § 909 and Subtitle X § 901.2 (*screening required; none proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 8 of the record, as required under Subtitle Y §§ 604.9 and 604.10, subject to the following **CONDITIONS**:

1. All food delivery and parcel couriers (UPS, FedEx, etc) shall provide delivery services utilizing the main entrance on Belmont Road.

2. Moving trucks and construction trucks shall utilize the Loading Berth and schedule days and time with Building Management.

3. Moving hours shall be between 9am and 5pm Monday through Saturday. A maximum of one (1) move per day Monday-Saturday shall be permitted. The time slots available for moves shall be 9am –1pm and 1pm – 5pm.

4. Moves shall be prohibited on Sundays, or Federal holidays.

5. Moves shall be scheduled at the front desk with the building management (Monday – Friday, 7am – 3pm) at least one week in advance.

VOTE: **3-0-2** (Carl H. Blake, Brittney Drakeford, and Tammy M. Stidham to APPROVE; two Board seats 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: February 18, 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 § 703.14, 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

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21410
21410 of Nicholson St. Holdings, LLC and Nicholson Street Properties, LLC
2318, 2322, 2324 Nicholson Street, SE (Square 5560, Lots 819, 008, 007)

HEARING DATE: February 11, 2026
DECISION DATE: February 11, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to raze existing structures, consolidate the three lots, and construct a detached 5-story plus cellar, 62-unit apartment house in the RA-2 zone:

- Special Exception from the minimum vehicle parking requirements of Subtitle C § 701.5, pursuant to Subtitle C § 703.2 and Subtitle X § 901.2 (*19 spaces required; 11 spaces proposed*)
- Special Exception from the loading requirements of Subtitle C § 901.1, pursuant to Subtitle C § 909 and Subtitle X § 901.2 (*1 loading berth and 1 delivery space required; 1 delivery space, 0 loading spaces proposed*)

The zoning relief requested in this case was self-certified. (Exhibit 4.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 7B and 8A, the "affected ANCs" 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 7B's report indicated that at a regularly scheduled, properly noticed public meeting on January 15, 2026, at which a quorum was present, the ANC voted to support the application. (Exhibit 28.) The ANC report noted concerns regarding residential parking but otherwise supported the application.

ANC SMD 7B01 Commissioner John Adams submitted a letter in support of the application. (Exhibit 27.)

ANC 8A did not submit a report to the record, however, ANC SMD 8A01 Commissioner Tom Donohue testified at the public hearing in support and noted ANC 8A's vote in support of the application.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 21.)

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 20.) DDOT's recommendation included conditions relating to transportation demand management and loading management, which the Board adopted as part of the final order.

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 minimum vehicle parking requirements of Subtitle C § 701.5, pursuant to Subtitle C § 703.2 and Subtitle X § 901.2 (*19 spaces required; 11 spaces proposed*)
- Special Exception from the loading requirements of Subtitle C § 901.1, pursuant to Subtitle C § 909 and Subtitle X § 901.2 (*1 loading berth and 1 delivery space required; 1 delivery space, 0 loading spaces proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 23A of the record, as required under Subtitle Y §§ 604.9 and 604.10, subject to the following **CONDITIONS**:

1. The Applicant shall implement the Loading Management Plan and Transportation Demand Management Plan described in Exhibit 19A, pages 30-31 and 33-34.

VOTE: **3-0-2** (Carl H. Blake, Brittney Drakeford, and Tammy M. Stidham to APPROVE; two Board seats 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: February 18, 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 § 703.14, 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. 21412
Taleesha Scott Richardson
3708 24th Street, NE (Square 4242, Lot 44)

HEARING DATE: February 11, 2026
DECISION DATE: February 11, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a detached, three-story principal dwelling unit plus basement providing an accessory apartment, and an accessory building (office use) in the rear yard in the R-1B zone:

- Special Exception from the side yard requirements of Subtitle D § 208.7, pursuant to Subtitle D § 5201.1 and Subtitle X § 901.2 (*5 ft. minimum required; 3 ft. (south side) and 4.5 ft. (north side) existing; 3 ft. (south side) and 1 ft. (north side) proposed*)
- Special Exception from the lot occupancy requirements of Subtitle D § 210.1, pursuant to Subtitle D § 5201.1 and Subtitle X § 901.2 (*40% max permitted; 35.39% existing; 50% proposed*)

The zoning relief requested in this case was self-certified. (Exhibit 37A (Final Revised).)[1]

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 5B, 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 January 21, 2026, at which a quorum was present, the ANC voted to support the application. (Exhibit 36.) The ANC report raised no issues or concerns.

[1] The original self-certification in Exhibit 5 requested special exceptions from the rear yard requirement of Subtitle D § 207.1, side yard requirements of D § 208.7, lot occupancy requirements of D § 210.1, pervious surface requirements of D § 211.1, and the accessory building location requirements of D § 5004.1. The first amendment to the application in Exhibit 23 withdrew special exception requests from the rear yard and accessory building requirements. The second amendment in Exhibit 33 withdrew the request from pervious surface. The final self-certification in Exhibit 37D updated the existing lot occupancy from 33% to 35.39%.

Commissioner Zahid Rathore (5B07) submitted a letter to the Board in support of the application. (Exhibit 31.)

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 38.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report to the record.

PERSONS IN SUPPORT. The Board received six letters from neighbors in support of the application. (Exhibits 20, 24, 27-30.)

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 side yard requirements of Subtitle D § 208.7, pursuant to Subtitle D § 5201.1 and Subtitle X § 901.2 (*5 ft. minimum required; 3 ft. (south side) and 4.5 ft. (north side) existing; 3 ft. (south side) and 1 ft. (north side) proposed*)
- Special Exception from the lot occupancy requirements of Subtitle D § 210.1, pursuant to Subtitle D § 5201.1 and Subtitle X § 901.2 (*40% max permitted; 35.39% existing; 50% proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 37D of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **3-0-2** (Carl H. Blake, Brittney Drakeford, and Tammy M. Stidham to APPROVE; two Board seats 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: February 18, 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 § 703.14, 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.

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. 21422
Christine Cheu and Brian Rowe
1529 A Street, N.E. (Square 1070, Lot 54)

HEARING DATE: Applicant waived the right to a public hearing
DECISION DATE: February 11, 2026 (Expedited Review Calendar)

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a first-floor deck plus basement rear addition, to an existing, attached, two-story plus basement, 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% permitted; 71.2% existing; 66.3% proposed*)

The zoning relief requested in this case was self-certified. (Exhibit 12.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 7D, 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).

EXPEDITED REVIEW. Pursuant to 11 DCMR Subtitle Y § 401, this application was tentatively placed on the Board of Zoning Adjustment (the "**Board**" or "**BZA**") expedited review calendar for decision as a result of the Applicant's waiver of its right to a hearing. No objections to expedited review consideration were made by any person or entity entitled to do so under Subtitle Y §§ 401.7 and 401.8.

NOTICE OF THE APPLICATION AND PUBLIC HEARING. 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 January 13, 2026, at which a quorum was present, the ANC voted to support the application. (Exhibit 21.) The ANC report raised no issues or concerns.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 19.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report for this application.

PUBLIC INPUT. The Board received a letter of support from the Capitol Hill Restoration Society. (Exhibit 18.)

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% permitted; 71.2% existing; 66.3% proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 3 of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **3-0-2** (Carl H. Blake, Brittney Drakeford, and Tammy M. Stidham to APPROVE; two Board seats 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: February 18, 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 § 703.14, 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.

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
NOTICE OF VIRTUAL PUBLIC MEETING

TIME AND PLACE: Wednesday, March 25, 2026, @ 9:30 a.m.
Via WebEx: https://dcoz.dc.gov/BZA03-25-2026
Via Telephone: 202-860-2110 Access code: 2305 813 6314
Via YouTube: https://www.youtube.com/c/DCOfficeofZoning

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

WARD FIVE

Application of:	**So Others Might Eat**
Case No.:	**21030A**
Address:	1876 4th Street N.E. (Square 3567, Lots 811 and 812)
ANC:	**5F**
Relief:	Time Extension to: • Board of Zoning Adjustment Order No. 21030 (pursuant to Subtitle Y § 705.1)
Project:	To extend for an additional two years, Board of Zoning Adjustment Order No. 21030, to renovate and enlarge an existing, three-story, multi-family residential building, to create a 73-unit apartment house in the RF-1 Zone.

PLEASE NOTE:
This public meeting will be held virtually through WebEx for the Board to deliberate on or decide the items listed on the agenda. Public testimony is not taken at a public meeting session. Information for the public to view or listen to the public meeting is listed above and will be provided on the Office of Zoning website by the Friday before the meeting date. Visit https://dcoz.dc.gov/watchlive.

The public meeting in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11.

Expedited Review Applications:
Expedited Review applications will remain on the public meeting agenda unless a request for party status is filed in opposition, or if a request to remove the application from the agenda is made by: (1) a Board member; (2) Office of Planning; (3) an affected ANC or affected Single Member District; (4) the Councilmember representing the area in which the property is located, or representing an area located within two-hundred feet of the property; or (5) an owner or occupant of any property located within 200 feet of the property.

The removal of the application from the Expedited Review Calendar will be announced as a preliminary matter on the scheduled decision date and then rescheduled for a public hearing on a later date. Notice of the rescheduled hearing will be posted on the Office of Zoning website calendar at https://app.dcoz.dc.gov/Home/Calendar and on a revised public hearing notice in the OZ office. If an applicant fails to appear at the public hearing, this application may be dismissed.

Individuals and organizations may also submit written comments to the Board by uploading submissions via the Interactive Zoning Information System ("IZIS") at https://app.dcoz.dc.gov/Login.aspx or sent by email to bzasubmissions@dc.gov. Written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing. If you are unable to use either of these means of submission, please contact Robert Reid at (202) 727-5471 for further assistance

Modification Without Hearing Applications:
Per Subtitle Y § 703, requests for party status as well as responses and comments from non-parties are not permitted for modification without hearing cases.

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

Do you need assistance to participate?

Amharic
ለመሳተፍ ዕርዳታ ያስፈልግዎታል?
የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኤሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ አገልግሎቶች የሚሰጡት በነጻ ነው።

Chinese
您需要有人帮助参加活动吗？
如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 Zelalem.Hill@dc.gov。这些是免费提供的服务。

French
Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean
참여하시는데 도움이 필요하세요?
특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish
¿Necesita ayuda para participar?
Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese
Quí vị có cần trợ giúp gì để tham gia không?
Nếu quí vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

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

CARL BLAKE, VICE-CHAIRPERSON
BRITTNEY DRAKEFORD, MEMBER,
NATIONAL CAPITAL PLANNING COMMISSION
A PARTICIPATING MEMBER OF THE ZONING COMMISSION
KEARA M. MEHLERT, SECRETARY TO THE BZA
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING

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

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

DISTRICT OF COLUMBIA REGISTER
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