



District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for November 21, 2024



Third (3rd) Thursday (usually Second (2nd) Thursday) at 7:00 pm
Virtual Meeting via Zoom

For those attending via Zoom: use this link: <https://dc-gov.zoom.us/j/89035345676>

Call-in Number: +1 301 715 8592

Webinar ID (access code): 890 3534 5676

One tap mobile: +19292056099,,89035345676#

Public Meeting - All are welcome

- | | | |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 7:00 pm | Call to order | |
| 7:01 pm | Adoption of Agenda and Approval of Minutes | |
| 7:02 pm | Community Presentation
Lead Free DC (LFDC) - Sean Moore, Communications Manager, Lead Free DC (Contractor) | |
| 7:30 pm | Consent Agenda
Alcohol Beverage and Cannabis (ABC)
Recommendation: ANC 6A sign a letter of support for the substantial change to the Class C tavern license at Dirty Water, 816 H Street NE (ABRA-125771). | pg. 31 |
| 7:35 pm | Officer Reports
1. Accept Treasurer's Report | pg. 32 |
| 7:40 pm | Standing Committee Reports:
Community Outreach (COC)
1. Accept October 2024 committee report.
2. Next meeting: November 25, 2024 (4 th Monday) | pg. 33 |
| 7:45 pm | Alcohol Beverage and Cannabis (ABC)
1. Accept October 2024 committee report.
2. Recommendation: ANC6A protest the application for a new Class C restaurant license with sidewalk café, alcohol carry out and delivery endorsements at Alero H Street at 1301 H Street NE (ABRA-130290) unless a settlement agreement is reached and that Mr. Lockett represent ANC 6A in negotiations.
3. Recommendation: ANC6A protest the application for a new Class C restaurant license with sidewalk café, entertainment, and cover charge endorsement at DC Capitol Square Bar and Grill at H Street at 14021 H Street NE (ABRA-129985) unless a settlement agreement is reached and that Mr. Lockett represent ANC 6A in negotiations.
4. Next meeting: November 19, 2024 (3 rd Tuesday; usually 4 th Tuesday) | pg. 34 |
| 8:00 pm | Transportation and Public Space (TPS)
1. No report. TPS did not meet in October 2024. | pg. 37 |



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2. Next meeting - 7:00 pm, November 18, 2024 (3rd Monday)

8:10 pm Economic Development and Zoning (EDZ) pg. 38
1. No report. EDZ did not meet in October 2024.
2. No EDZ meeting in November 2024.
3. Next meeting - 7:00 pm, December 18, 2024 (3rd Wednesday)

8:15 pm New Business pg. 39
1. Suggested Motion: ANC 6A write a letter to the Mayor, City Manager, the Directors and Deputy Director of the Department of Parks and Recreation (DPR) and the Department of General Services (DGS), and the City Council inquiring:
1) Why the work on capital improvements of various outdoor space at Sherwood has not begun as scheduled;
2) Why routine maintenance to repair dangerous failures in the recently replaced playground surface have not been made;
3) Why the recumbent swing has not been replaced months after being removed;
4) Why Sherwood seems to be excluded from special programming such as movies, holiday events, etc. frequently offered at other sites;
5) Why congregating with alcohol and drug consumption is allowed on the recreational center property on a continuing basis; and
6) What are the plans and timelines for addressing the above five issues.
2. Suggested Motion: ANC 6A authorize Commissioner Dave Wethington or EDZ Co-Chairs Joal Mendonsa or Michael Cushman to testify to the DC Council Committee of the Whole regarding B25-1003: 2024 Vacant to Vibrant
Act. <https://lms.dccouncil.gov/Legislation/B25-1003>

8:35 pm Single Member District reports (2 minute each)

8:50 pm Community Comments (2 minutes each)

9:00 pm Adjourn



Advisory Neighborhood Commission 6A Meeting Minutes - October 10, 2024



Advisory Neighborhood Commission (ANC) 6A Minutes Virtual Meeting via Zoom October 10, 2024

Present: Commissioners Dave Wethington, Roberta Shapiro, Robb Dooling, Steve Moilanen, and Mike Velasquez were present. Commissioner Amber Gove was absent.

The meeting convened virtually via Zoom at 7:00 pm.

Commissioner Dave Wethington called the meeting to order and noted the presence of a quorum. The minutes for the ANC 6A September 2024 meeting minutes were accepted and the agenda was accepted by unanimous consent.

The community received meeting notice via listservs, the Hill Rag, ANC website, X, and Facebook.

Community Presentation

Fred Moosally, Director, Alcoholic Beverage and Cannabis Administration (ABCA)

Mr. Fred Moosally, Director of the Alcoholic Beverage and Cannabis Administration (ABCA), noted that the agency regulates alcohol and medical cannabis in DC and is tasked with enforcement of unlicensed or illegal cannabis businesses. There are separate license and enforcement divisions for cannabis and alcohol and the agency is working on hiring additional investigators on the cannabis side. Applications for medical cannabis are only accepted during open application periods, all of which have now ended, and the agency does not expect new open periods for some time. Hearings are held by the Alcohol Beverage and Cannabis Board which currently has three members with one more member up for consideration and three more open seats. The council recently passed extensive legislation changing the protest process, allowing abutting property owners, neighbors directly across the street, and daycare centers to protest; currently, only affected ANCs can protest. The new legislation will take effect by the beginning of 2025. The council also increased the distance between an applicant for a retail license and a recreation center or school from 300 to 400 feet and there is no commercial exception. In the event of onsite consumption **locations, they cannot be within 400 feet of a daycare. The legislation also strengthens ABCA's ability to** close unlicensed establishments. The process for ANCs for cannabis is similar to that for alcohol - ANCs can enter into settlement agreements that are enforced by ABCA and have the ability to protest and request an extension on the protest period. ABCA has a multi-agency enforcement team consisting of the Department of Licensing and Consumer Protection, DC Health, and MPD; currently they have issued 84 warnings, over 30 cease-and-desist orders, and eight closures. More closures are forthcoming. The new legislation removes warnings and the agency will move forward directly with cease-and-desist orders. Establishments will receive these if there is an imminent health and safety danger or if there are unregistered firearms; ABCA can close an establishment selling Schedule 1 substances, which in DC is mostly psychedelic mushrooms, not cannabis. ABCA is working with landlords as well, who can now be fined \$10,000. Commissioners are frustrated with loopholes in the law, leaving many unlicensed cannabis shops open, especially along H Street.

The agency is moving in November to 899 North Capitol Street NE and is currently working on overhauling their website to be clearer and more user-friendly.

Consent Agenda:

The following items were adopted by unanimous consent:



Advisory Neighborhood Commission 6A Meeting Minutes - October 10, 2024



Alcohol Beverage and Cannabis (ABC)

- ANC 6A enter into a new settlement agreement with 7 River Mart, 7 River Mart, 250 11th Street NE (ABRA #089591) per their request, updating the existing 2012 agreement to allow sales of spirits per their license and that Commissioner Velasquez represent ANC 6A in negotiations.
- ANC 6A approve two new draft settlement agreements - one for alcoholic beverage license applications and one for medical cannabis license applications - drafted to simplify language and **comply with ABCA Counsel's recommended changes.**

Transportation and Public Space (TPS)

- ANC 6A send a letter to DDOT requesting urgent action along the corridor and then clarify their plans for traffic calming along 11th Street NE between Florida Avenue NE and East Capitol Street.
- ANC 6A send a letter to DDOT requesting an all-way stop sign at the intersection of Tennessee Avenue NE and 14th Street NE, requesting repainting of the bike lane on 14th Street NE between E Street NE and Tennessee Avenue NE, and requesting restoration of a raised crosswalk at 14th and E Streets NE.
- ANC 6A send a letter to DDOT requesting an all-way stop sign at the intersection of Tennessee Avenue NE and E Street NE.

Economic Development and Zoning (EDZ)

- ANC 6A send a letter of support to the BZA for Special Exceptions from the roof top and upper floor element requirements of Subtitle E § 204.1, lot occupancy requirements of Subtitle E § 210.1 and rear wall requirements of Subtitle E § 207.4 in order to construct a third story with roof deck and a three-story with cellar rear addition, to an existing, attached, two-story with cellar, principal dwelling unit in the RF-1 zone at 910 12th Street, NE. (BZA 21196).

Officer Reports:

1. **The October 2024 Treasurer's report by Commissioner Steve Moilanen reviewed the expenditures** accrued in September: \$250 for notetaking, \$771.19 for webmaster services, and \$15.90 for a DocuSign subscription (checks #2126-#21228, respectively). The opening uncommitted funds available were \$31,691. After accounts payable totaling \$4,090.06 the closing available checking balance is \$27,600.94. The savings account opened at \$100.05, gained no interest, and closed at \$100.05, and **petty cash remained at \$25. The Treasurer's report was approved by unanimous consent.**
2. Commissioner Moilanen moved and Commissioner Roberta Shapiro seconded the motion that ANC 6A adopt the FY2025 Budget Plan as laid out in the agenda, which assumes standard payments for notetaking and webmaster services, advertising expenses, and some grants, totaling an annual spend of roughly \$20,000. The motion passed 5-0.
3. Commissioner Moilanen will compile proposed changes to service agreements for package prep/web services and notetaking to incorporate cost of living adjustments FY2025.

Standing Committee Reports:

Community Outreach (COC)

3. The September 2024 committee report was accepted by unanimous consent.
4. Next meeting: October 28, 2024 (4th Monday)

Alcohol Beverage and Cannabis (ABC)



Advisory Neighborhood Commission 6A Meeting Minutes - October 10, 2024



1. The September 2024 committee report was accepted by unanimous consent.
2. The Committee recommended and Commissioner Mike Velasquez seconded the motion that ANC6A send a letter to the DC Council Chair Mendelson and Mayor Bowser requesting the following actions:
 - 1) The City Council adopt and the Mayor sign legislation making public input on medical cannabis licenses equivalent to the input allowed for liquor licenses, specifically allowing adjacent property owners and a group of five to protest medical cannabis licenses, as provided for in Title 25 of D.C. Official Code and Title 23 of the District of Columbia Municipal Regulations.
 - 2) The City Council adopt and the Mayor sign legislation providing for moratoriums on new medical cannabis licenses equivalent to the provisions for liquor licenses contained in Title 25 of D.C. Official Code and Title 23 of the District of Columbia Municipal Regulations.
 - 3) The City Council adopt and the Mayor sign legislation providing for fines for landlords who allow for and eviction of tenants who engage in serious violations of liquor and cannabis law and regulation and, certificates of occupancy and basic business licenses in furtherance of operating any business that violates liquor and cannabis law.
 - 4) The City Council adopt and the Mayor sign legislation requiring temporary or permanent closure of establishments who fail to remediate serious violations of liquor and cannabis licenses or health, safety, or other licenses and permits required in furtherance of operating a business that engages in the commerce of liquor or cannabis or illegal substances. Further, such action should be taken immediately if the Chief of Police deems public safety an immediate and serious risk, including but not limited to violent acts or the recovery of firearms.

Commissioner Shapiro recommended that the ANC defer this motion to November, given ABCA **Director Moosally addressed these and several other concerns in today's presentation. Commissioner Velasquez proposed sending at least the letter's first two requested actions to increase the Mayor's awareness of the public's displeasure with the current process. The motion as amended - to send the letter with the first two items and send a further letter next month with more inclusions - passed 5-0.**

3. Commissioner Velasquez moved and Commissioner Shapiro seconded the motion that ANC 6A will automatically send a letter of protest of alcoholic beverage license and medical cannabis applications and renewals unless the Commission is able to meet and consider such an application before the published protest deadline. In that case, the protest will be due to the effect of the establishment on peace, order and quiet, including the noise and litter provisions, pursuant to the allowable appropriateness standards set forth in DC Municipal Regulations.

Commissioner Robb Dooling voiced discomfort with a default letter of protest and suggested special meetings for cases when they are needed but agreed with other Commissioners that special meetings can be difficult to schedule with a quorum. Commissioner Velasquez noted that another compromise could be to skip the committee review of these applicants and move them straight to full ANC review, but Commissioner Shapiro noted that the timing for this too would not always allow all Commissioners and constituents to have their voices heard. The motion passed 3-2; Commissioners Wethington and Dooling opposed.

4. Next meeting - October 29, 2024 (4th Tuesday)

Transportation and Public Space (TPS)

1. The September 2024 committee report was accepted by unanimous consent.



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2. The Committee recommended and Commissioner Dooling seconded the motion that ANC 6A send a letter to DDOT requesting conversion of the 1400 block of G Street NE to a one-way westbound. This has been long advocated for by residents of the 1400 block of G Street NE, who say the current situation is a safety concern for pedestrians, cyclists, and nearby Miner Elementary. A previous DDOT study found that an eastbound one-way would not work. The motion passed 4-1; Commissioner Velasquez opposed.
3. Commissioner moved and Commissioner Dooling seconded the motion that ANC 6A send a letter of support for NOI-24-262-CPD for parking adjustments on H Street NE. Commissioner Velasquez was concerned about the lack of H Street business owners at the TPS meeting and the impact on these businesses from parking adjustments, but Commissioner Dooling said that several business owners continuously ask for more short-term parking for easier Uber/Lyft pickups and drop-offs, among other things. The motion passed 4-1; Commissioner Velasquez opposed.
4. Next meeting - 7:00 pm, October 21, 2024 (3rd Monday)

Economic Development and Zoning (EDZ)

1. The September 2024 committee report was accepted by unanimous consent.
2. Next meeting - 7:00 pm, November 20, 2024 (3rd Wednesday); No October meeting
3. Commissioner Velasquez added a new agenda item of adding Russ Greenfield as a new member of the EDZ.

New Business

1. Commissioner Shapiro moved and Commissioner Dooling seconded the motion that ANC 6A send a letter to the Mayor, Deputy Mayor Appiah, the City Council and relevant Council committees recognizing the serious and life-threatening failures of the Office of Unified Communications (OUC) and requesting measures to include, but not limited to, monthly (at minimum) reporting to a public meeting of the Council or its designated committee, and an attestation to the accuracy by the OUC Director. Such reporting would include performance against key national 911 performance metrics as well as against staffing metrics and adverse event reporting and analyses. The letter would also request that the Council review the need for an external monitor or advisor to oversee the operations and performance of the OUC. Commissioners feel strongly that this is a major failure and oversight of DC government and continue to advocate for public safety. The motion passed 5-0.
2. Commissioner Velasquez moved and Commissioner Shapiro seconded the motion that ANC 6A send a letter to Chief Smith asking for a 30-day drug free zone on 8th Street NE and continuous police presence in response to the increased drug activity and shootings. Commissioner Velasquez reported that there was a recent shooting in broad daylight at 8th and I Streets and several constituents are now afraid to go out with their children. There is an urgent need to address drugs and establish a police presence in the area. 300 neighbors signed a similarly worded letter sent to Chief Smith. Commissioner Moilanen added a friendly amendment to include the valiant efforts and progress of the 1D MPD. Commissioner Dooling advocated for more violence interruption programs rather than an increased police presence which could make the situation worse. The motion to send the letter as amended passed 4-1; Commissioner Dooling opposed.

Commission Business

Single Member District reports

Commissioner Moilanen (6A07) expressed disappointment with the lack of progress since last month's meeting concerning the pothole at the SWS playground. The Commissioner took part in the Ward 6 walk,



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bike, and roll event and appreciates community-wide efforts to make streets safer. The pilot installation of solar panels at several bikeshare facilities including at Eastern Market is great.

Commissioner Dooling (6A06) met with a group of restaurant owners interested in opening a restaurant in the former KitchenCray space. The Commissioner and Commissioner Wethington also met with people interested in taking over the former Biergarten space and had to do a great deal of explaining of the ANC processes.

Commissioner Velasquez (6A02) has been contacted by a constituent about a vacant property on the 1200 block of Maryland Avenue; it has been blighted and vacant and the Commissioner will try to address this ongoing concern.

Commissioner Shapiro (6A03) was promised an inspection of 1100 F Street a month ago and DOB said they could not inspect due to safety concerns. DOB is now working with MPD on a safe inspection. The upgrade to the outside of Sherwood will begin this month and continue through January. The Commissioner has been sending the director of DGS pictures of the holes in the playground at SWS; the contractor doing the work at Sherwood is not the same one as who did the resurfacing.

Commissioner Wethington (6A05) will be meeting with the executive director of the Academy at 14th and E Streets and touring the space. There is no news on Kingsman Dog Park. The Commissioner would appreciate any advice on how to get rid of long-standing unpermitted moving pods. Community members should use extra caution around Halloween and Hill Family Biking has an event coming up.

Community Comment

Ms. Jen DeMayo noted that Councilmember Allen will be hosting an ABCA Cannabis Enforcement panel and those interested can register here:

https://www.charlesallenward6.com/panel_cannabis_enforcement

Garfield Park is getting renovated this week and the north playground will be closed for about a month for repairs. The new fiscal year started October 1 and DOB should be opening a one-stop-shop for permitting vacant storefronts filled with new businesses. A grant of \$350k is in the budget to provide funding for ideas to active 8th Street. There is a safe passage team set up at Eastern Market and Potomac metro plazas and the new budget created an Eastern Market Metro Park Manager position.

Councilmember Allen introduced a bill regarding residents in apartment buildings getting charged new fees for common space usage that was not in their original leases:

<https://twitter.com/CMCharlesAllen/status/1841494925742833821>

A contractor has been chosen for the Rumsey pool modernization project and a community meeting will be scheduled soon.

The meeting adjourned at 9:38 pm.



Advisory Neighborhood Commission 6A Community Presentations



ANC 6A CBB 111424

Block Name	Program	Const Pkg	Unsigned	Declined	Signed	Total Addresses	% Signed
800 BL C ST NE	By Block	20	14			14	
1300 BL CORBIN PL NE	By Block	19	15		11	26	47.8%
1000 BL CONSTITUTION AVE NE	By Block	19	10		5	15	35.7%
1100 BL E ST NE	By Block	19	1	5	3	9	50.0%
400 BL 9TH ST NE	By Block	19	19			19	
700 BL 15TH ST NE	By Block	20	2			2	
300 BL 13TH ST NE	By Block	19	7		3	10	33.3%
500 BL 13TH ST NE	By Block	20	9			9	
500 BL 14TH ST NE	By Block	19	10		2	12	28.6%
1000 BL D ST NE	By Block	19	12			12	
200 BL 10TH ST NE	By Block	19	45	1	4	50	12.9%
1100 BL PARK ST NE	By Block	19	30		6	36	18.2%
200 BL WARREN ST NE	By Block	19	40	1	6	47	13.6%
1100 BL F ST NE	By Block	20	6		1	7	16.7%
800 BL G ST NE	By Block	20	3			3	
700 BL FLORIDA AVE NE	By Block	20	9		1	10	11.1%
700 BL 8TH ST NE	By Block	20	22			22	
1200 BL MARYLAND AVE NE	By Block	20	41		1	42	5.9%
UNIT BL 10TH ST NE	By Block	19	4		1	5	25.0%
1000 BL E ST NE	By Block	19	7		2	9	33.3%
1400 BL G ST NE	By Block	20	12			12	
1000 BL MARYLAND AVE NE	By Block	19	8		4	12	50.0%
900 BL 8TH ST NE	By Block	20	30		1	31	4.2%
100 BL 8TH ST NE	By Block	19	3		2	5	66.7%
200 BL 12TH ST NE	By Block	19	11		1	12	14.3%
1200 BL C ST NE	By Block	19	8		6	14	54.5%
500 BL 10TH ST NE	By Block	20	10			10	
700 BL MARYLAND AVE NE	By Block	19	13		1	14	16.7%
1300 BL CONSTITUTION AVE NE	By Block	19	28	2	8	39	22.2%
900 BL MARYLAND AVE NE	By Block	19	3		2	6	66.7%
UNIT BL 9TH ST NE	By Block	20	15		2	17	13.3%
1400 BL D ST NE	By Block	19	14	2	1	17	8.3%
900 BL D ST NE	By Block	19	9		1	10	20.0%
1100 BL 8TH ST NE	By Block	20	24		1	25	4.3%
1300 BL EMERALD ST NE	By Block	20	71			71	
300 BL 14TH PL NE	By Block	20	18		1	19	6.3%
300 BL 12TH ST NE	By Block	6	4	1	12	17	92.3%
800 BL WEST VIRGINIA AVE NE	By Block	19	3	2	1	6	16.7%
1200 BL E ST NE	By Block	19	24	7	7	38	25.0%
700 BL E ST NE	By Block	19	14		4	18	40.0%
200 BL 12TH ST NE	By Block	19	7		1	8	12.5%
1400 BL AMES PL NE	By Block	19	19	3	6	28	26.1%
1400 BL DUNCAN ST NE	By Block	19	23		4	27	14.8%
300 BL 9TH ST NE	By Block	19	18		6	24	31.6%
400 BL 15TH ST NE	By Block	15	9		2	11	28.6%
300 BL 15TH ST NE	By Block	15	12	1	3	16	23.1%
600 BL ELLIOTT ST NE	By Block	19	17		8	25	53.3%
300 BL 11TH ST NE	By Block	19	30		2	33	8.3%
700 BL D ST NE	By Block	19	2			2	
900 BL EAST CAPITOL ST BN	By Block	20	12			12	



Advisory Neighborhood Commission 6A Community Presentations



ANC 6A CBB 111424

Block Name	Program	Const Pkg	Unsigned	Declined	Signed	Total Addresses	% Signed
1300 BL NORTH CAROLINA AVE NE	By Block	19	31		3	34	25.0%
700 BL 10TH ST NE	By Block	20	24			24	
1400 BL D ST NE	By Block	19	16		1	17	7.1%
800 BL CONSTITUTION AVE NE	By Block	20	10			10	
1400 BL CONSTITUTION AVE NE	By Block	19	4			4	
400 BL 13TH ST NE	By Block	19	4		3	7	42.9%
700 BL FLORIDA AVE NE	By Block	20	12		1	13	12.5%
600 BL 14TH PL NE	By Block	19	32		4	37	11.8%
200 BL 8TH ST NE	By Block	19	20	2	1	23	5.3%
800 BL WEST VIRGINIA AVE NE	By Block	20	1			1	
1300 BL A ST NE	By Block	19	18		1	19	25.0%
1400 BL C ST NE	By Block	20	14			14	
1300 BL NORTH CAROLINA AVE NE	By Block	19	18		1	19	14.3%
400 BL 14TH ST NE	By Block	19	6		2	8	50.0%
1400 BL NORTH CAROLINA AVE NE	By Block	19	11		2	13	18.2%
1300 BL D ST NE	By Block	19	28		1	29	3.8%
200 BL 13TH ST NE	By Block	19	8		1	9	14.3%
400 BL 7TH ST NE	By Block	19	6			6	
800 BL MARYLAND AVE NE	By Block	19	4		3	7	75.0%
300 BL 8TH ST NE	By Block	19	14	2	2	18	11.8%
200 BL 14TH ST NE	By Block	19	41		6	47	21.4%
100 BL 10TH ST NE	By Block	19	16	2	4	22	26.7%
1200 BL DUNCAN PL NE	By Block	19	27	2	5	35	19.2%
1100 BL D ST NE	By Block	19	14		1	15	12.5%
1300 BL FLORIDA AVE NE	By Block	20	14			14	
300 BL 14TH ST NE	By Block	19	26	1	6	33	28.6%
500 BL 13TH ST NE	By Block	20	9			9	
800 BL E ST NE	By Block	20	13		1	14	11.1%
1300 BL C ST NE	By Block	19	21		8	30	29.6%
400 BL 10TH ST NE	By Block	19	35	1	3	39	16.7%
100 BL 13TH ST NE	By Block	19	19		5	24	33.3%
1400 BL E ST NE	By Block	20	1			1	
900 BL 7TH ST NE	By Block	20	8			8	
100 BL 15TH ST NE	By Block	15	4	1		5	
UNIT BL 8TH ST NE	By Block	19	12			12	
1100 BL MARYLAND AVE NE	By Block	19	7	1	2	10	33.3%
100 BL 9TH ST NE	By Block	19	2	1	2	5	40.0%
1200 BL G ST NE	By Block	20	47			47	
500 BL 14TH ST NE	By Block	19	11		1	12	14.3%
300 BL 13TH ST NE	By Block	19	11		5	16	31.3%
1400 BL A ST NE	By Block	19	14		3	17	27.3%
200 BL 14TH PL NE	By Block	19	39		8	47	22.2%
100 BL 11TH ST NE	By Block	19	24	1	18	43	46.2%
900 BL MARYLAND AVE NE	By Block	19	8		2	10	40.0%
300 BL 10TH ST NE	By Block	19	24	2	7	33	31.8%
200 BL 15TH ST NE	By Block	15	9	1	3	13	30.0%
1200 BL D ST NE	By Block	19	34	1	10	45	31.3%
900 BL E ST NE	By Block	19	2		1	3	33.3%
			1,550	43	260	1859	18.7%



Key Takeaways

1. Lead Free DC is DC Water's [plan](#) to eliminate all lead service lines in the District.
2. Determine if you have a lead pipe and how to replace it:
 - Email lead@dcwater.com,
 - Call our lead hotline (202) 787-4044, or
 - Check our inventory map at dcwater.com/leadmap
3. There will be **FREE** lead pipe replacements this year for homeowners in your ANC
 - Homeowners who are contacted should **SIGN AND RETURN AUTHORIZATION FORMS** ASAP



2



Lead Free DC Program Overview

DC Water's goal is to **eliminate all lead service lines in the District.**

Every year, with support from the District, DC Water launches new projects on blocks across the city to:

1. Replace known lead service lines
2. Verify the material of service lines associated with historic records or missing information.



3



Lead Free DC Program Highlights

- Program Milestones
 - 7,252 lead service lines replaced as of November 14, 2024.
- Prioritizing Environmental Justice and vulnerable populations
 - LFDC aligns with the Biden-Harris Administration's Justice40 Initiative.
 - Replacements prioritized in areas with vulnerable populations, a high number of lead service lines, and are historically underserved.
- Expanding the Lead Free DC outreach team
 - DC Water Community Activators workforce development training program.
 - Second cohort is currently supporting LFDC program outreach.

4



Challenges/Opportunities

- LFDC has made great progress towards our goals, yet there are still challenges and opportunity areas ahead.
- DC Water improved the accuracy of our water service lines inventory records, which increased the number of estimated lead lines from 28,000 to 42,000.
- The LFDC mission stays the same, but our goal date of 2030 has changed.
- LFDC is still focused on replacing lead in vulnerable and historically underserved communities.
- LFDC continues to find ways to accelerate the progress of replacements, including securing additional funding.

5



Health Effects Lead in Drinking Water

- Lead is a powerful neurotoxin, which means exposure to lead can damage the brain.
- There is no safe level of lead
- Lead can also injure other soft tissues and organs, can interfere with the formation of blood, and exposure to enough lead can even kill.
- Both children and adults are vulnerable to lead's health effects.



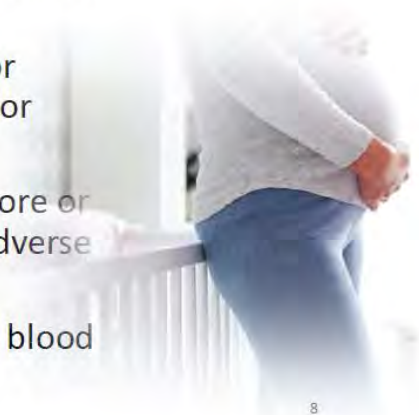
7



Who is “Most Vulnerable” to Exposure?

Exposure to lead in drinking water can cause serious health effects in all age groups.

- Infants and children can have decreases in IQ and attention span.
- Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems.
- The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects.
- Adults can have increased risk of heart disease, high blood pressure, kidney or nervous system problems.



8



Your Water Service Line

- Homeowner owns the entire service line.
- DC Water is responsible for maintaining the portion of the service line in “public space.”
- DC Water uses ratepayer funds for “**public-side**” service line replacement and water main work (**Figures 1 and 2**).
- DC Water needs homeowner consent and a separate funding source for “**private-side**” service line replacement (**Figure 3**) per D.C. Law 22-241.

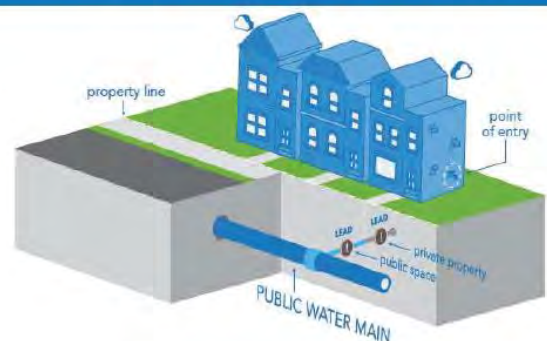


Figure 1



Figure 2



Figure 3

UNDERSTANDING YOUR WATER SERVICE PIPE





Identifying Pipe Materials Used in DC

- Lead and galvanized service lines contain lead and must be replaced.
- When water sits in a lead or galvanized service line for 6 hours or more, lead may dissolve into the water.
- When lead dissolves into water, it is harmful to your health.

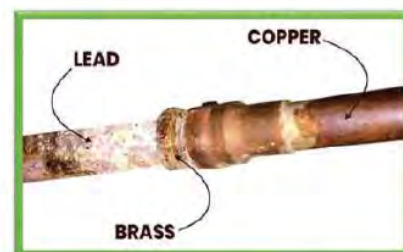


11



Identifying Pipe Materials: Lead

- Typical white oxidation.
- Side wall thickness approximately ¼ thick.
- Round bulbous cast in place joints.



12



Identifying Pipe Materials - Galvanized Iron

- Homes that have galvanized pipes and have or had lead service lines are at risk of lead in water from corroded pipes.
- Galvanized iron pipe can accumulate lead that is released from lead service lines.



13



Identifying Pipe Materials: Copper – Type K

- Copper is redder in color
- Copper will not attach to a magnet
- All new copper shall be Type K which is suitable for Heavy Duty and out of building

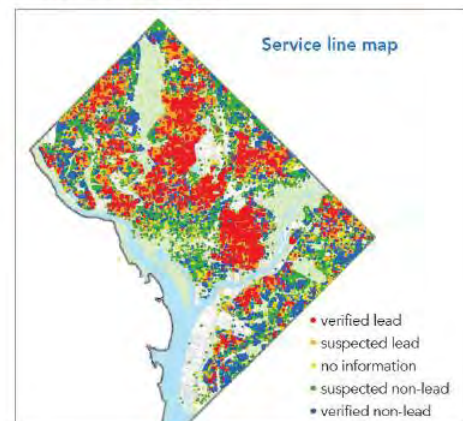
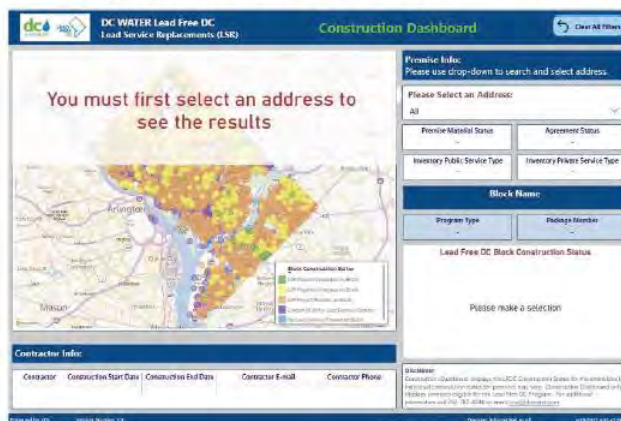


14



Tools for Homeowners

- Updated inventory map:
 - <https://geo.dcwwater.com/Lead/>
- Updated construction dashboard:
 - <https://www.dcwwater.com/lead-free-dc-construction-dashboard>



Lead Service Line Replacement Programs

What is the Difference Between the Programs?

CIPERR

- Free replacements during construction projects (water main replacements, emergency repairs and District projects).
- By-Block are **FREE** replacements based on the **Prioritization Model**.
- Small diameter water main replacement (SDWMR) are **FREE**



LPRAP

- Only the portion of the water service line on private property is lead (the public portion is non-lead).
- The District of Columbia will pay for discounted replacements. Each homeowner can receive up to a 100% discount, regardless of income.



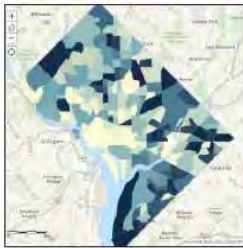
VFRP

- Both the public and private portions of the water service line are lead and NO capital improvement projects are planned for the neighborhood
- DC Water will pay for all work in public space and coordinate work so both portions are replaced at the same time.
- The homeowner pays for work on private property.





Prioritization Model



Density of Children in Washington, DC

LFDC Prioritization Model:

- Uses data from the service line inventory, vulnerable populations data, and socio-economic data as inputs to calculate a score for each block.
- Scores are based on the value of five indicators and their weights.
 - Service Line Material
 - Race
 - Household Income
 - Children under 5
 - Blood Level Indicator
- Blocks with higher scores are prioritized before blocks with lower scores.

17



What work is involved in these by-block projects?

By-Block Service Line Replacement Projects:

- Blocks are chosen based on a prioritization model
- District funding covers all private-side replacement costs - this is **FREE** for homeowners.
- **Restoration in-kind** for most cases (e.g. tree protection, sod, hardscape repair, simple drywall)
- **Where will they dig?**
 - Holes on each side of water meter
 - Hole near house (need signed agreement)
- **Do I need to be home during work?**
 - Yes, the homeowner (or designee) must give access to home for inspection of pipe at point-of-entry (basement/crawlspace).
 - If lead is found, contractor will replace pipe to the first fitting. What should I do now?
- **What do I need to do now?**
 - **Sign and submit Authorization Form** for DCW to provide free replacement.





ANC 6A LFDC Status

LFDC By-Block Program

- 98 Blocks Selected FY 2025 in ANC 6A
 - 1,859 Premises
 - 18.7% ROE authorizations signed
- Anticipated Construction Period
 - November 2024 - November 2026
- DC Water must have resident's permission to replace the service line on their property.



We Need Your Help to Achieve a Lead Free DC!



**RIGHT OF ENTRY AUTHORIZATION
TO REPLACE WATER PIPE ON MY PROPERTY FOR FREE**

Please complete all required fields or the Authorization Form will not be accepted.

I lead in water from lead or lead-containing water pipes can be harmful to you and your family and/or residents. DC Water wants to replace lead water pipes because it is a step to lowering your and your family's water risk and lead exposure, but we need your consent. This Right of Entry Authorization means you agree to allow DC Water and our Contractor to enter your private property to replace your lead water pipes with new copper water pipes for **Free, at No Cost to you**. This Authorization also means you agree to tell DC Water about any **hidden hazards** you know about on your private property that could prevent them from doing the work or harm the people replacing your pipes. **Please Note:** We also recommend you work with a licensed plumber to identify any other sources of lead pipes inside your building and consider removing them as well.

This is what DC Water's Contractor will do (See attached diagram):

- Turn off the water service to your building for about eight (8) hours.
- Dig down near the District water main, meter, and/or property line and remove/abandon your lead water pipe from the water main in the street, through your building wall or floor, to the pipe connection in your building.
- Install a new copper water pipe from the District water main in street to your building, through the wall where the pipe comes in and connected to the water pipe in your building; and
- Turn on water, fill holes made, restore area, and flush water from the outside hose connection, if possible.

This is what you should expect:

- Contractor will replace the lead water pipe with a copper water pipe at your private property at **No Cost to you**. The workers will enter your private property and your building to do the replacement. They will bring a truck to carry the material of the water pipe near the property line. Once confirmed, they will follow the steps above, likely on a separate day. They will take photos and video before, during, and after installation.
- Contractor will try to leave your private property as close to how it was found or better. Contractor may need to remove or drill into walls, floors, ceilings, and/or roofs, doors, stairs, and/or other permanent items on your property. Contractor will clean the interior work areas and do temporary and permanent restoration, that may include, if needed, installing access panels, repairing sheet rock, drywall, spackling, priming and finally painting to match the original colors, and restoring and replacing existing tile and cabinets. The Contractor will clean the exterior work areas and do temporary and permanent restoration, that may include, if needed, repaving brick, concrete, granite or asphalt curbs, sidewalks, pavement, driveway and retaining wall areas and curbing, and sealing, siding, and plant replacement. The permanent restoration work will be scheduled at a different time. Contractor will try to avoid trees, shrubs, living plants when possible, but are not responsible for any harm to grass, plants, etc. during the replacement process. DC Water and the Contractor cannot and will not help you move items on your property.
- DC Water may not perform this work if (1) there are hidden hazards that prevent the workers from replacing the pipe; (2) someone else owns the property and the owner does not agree to sign this Authorization; (3) you or an authorized person do not allow the Contractor to enter your property on the scheduled date; or (4) you or an authorized person are not home at the scheduled date and time and fail to reschedule the work.
- DC Water will provide a water glitcher that lasts 6 months to you or residents of your property to use after the replacement and instructions for you to follow for flushing your faucets to remove any lead particles.

dcwater.com

- DC Water must have a resident's permission to replace the service line on their private property.
- Please encourage homeowners to sign and return Right of Entry Authorization.
- Be on the lookout for our outreach team that is doing door-to-door canvassing to talk about Lead Free DC programs.
- Spread the word! This is a citywide effort.
- Please encourage residents in your community to visit dcwater.com/lead to learn more about our lead service line replacement agreements.



Advisory Neighborhood Commission 6A Community Presentations



DCWATER.COM/LEAD

💧 All information on Lead Free DC can be found at
www.dewater.com/lead

- 💧 Construction Dashboard
- 💧 Inventory Map
- 💧 Program Fact Sheet
- 💧 Lead Free DC Plan
- 💧 The health effects of lead
- 💧 Information about testing your water for lead



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Lead Contact Info & Websites

2024 Lead Free DC - Community
Based Organizations Feedback



lead@dewater.com

(202) 787-4044

www.dewater.com/lead

www.dewater.com/leadmap

www.dewater.com/leadfreedcplan

Sean Moore

(202) 787-4049

sean.moore@dewater.com

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Commission Correspondence of October 10, 2024 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



October 11, 2024

Pamela Smith
Chief of Police
Metropolitan Police Department
441 4th Street, NW, 7th Floor
Washington, DC 20001
Via email

Re: ANC6A Request for drug free zone 800 block of 8th Street NE

Dear Chief Smith:

At a regularly scheduled and properly noticed meeting on October 10, 2024 our Commission voted 4-1-0 (with 4 Commissioners required for a quorum) to request that you establish a continuous police presence on the 800 block of 8th Street NE and immediately declare a drug free zone for a 30-day period.

We want to acknowledge the efforts made to address the continuing drug sales along 8th Street NE, including adjacent to the Bank of America building. The work of the men and women of the First and Fifth Districts and other MPD units, under the leadership of Commander Hall, Commander Rooney, and Assistant Chief Makal, is welcome and appreciated. Recent efforts resulted in the removal of illegal weapons and dangerous substances from our streets and for that we are grateful. Unfortunately, there has been a spate of recent shootings resulting in increased fear and a decreased sense of safety.

As you are aware, the Secure DC Omnibus Emergency Amendment Act of 2024 provides you with the power to declare an area a “drug free zone.” [D.C. Code § 48-1002(a)] Within such a zone, it “unlawful for a person to congregate in a group of 2 or more persons for the purpose of committing a[] [drug-related] offense . . . within the boundaries of a drug free zone, and to fail to disperse after being instructed to disperse by a uniformed officer of the Police Department who reasonably believes the person is congregating for the purpose of committing a[] [drug-related] offense.” [Id. § 48-1003(a)]

In deciding whether an area should be declared a drug free zone, you must consider whether in the preceding six months, there has been “the occurrence of a disproportionately high number of”:

- drug-related arrests,
- reports of dangerous crimes or crimes of violence,
- homicides,



Commission Correspondence of October 10, 2024 Meeting



- “[o]bjective evidence or verifiable information that shows that illegal drugs are being sold and distributed on public space on public property,” or
- “[a]ny other verifiable evidence information” should that that “the health or safety of residents who live in the proposed drug free zone are endangered by the purchase, sale, or use of illegal drugs or other illegal activity.”

Every single one of these tests is amply met. Within the preceding week, there have been two homicides. Multiple individuals have been arrested for drug and weapon offenses. And residents have provided first-hand accounts indicating that drugs are being openly trafficked. The evidence is overwhelming and undeniable. The situation on 8th from G St NE to I St NE is precisely what this statute was written to combat: brazen and lawless drug trafficking that poses an immediate risk to the health and safety of residents, including children.

Importantly, the declaration of a drug free zone is not limited to a single five-day period, as is often reported. The statute states that “[t]he Chief of Police may declare any public area a drug free zone for a period not to exceed 120 consecutive hours.” [Id. § 48-1002(a)]. But you can declare an area to be a drug free zone multiple times during a 30-day period, arguably up to a maximum of 15 consecutive days. [See id. § 48-1002(d)].

Again, we want to acknowledge the work done to date. However, a new, strong approach is entirely appropriate here, where the circumstances indicate a grave and continuing risk to the community, one which has been in place for months, if not years, despite MPD’s ongoing efforts. Now is the time for decisive action to protect public safety and reassure residents.

Should you have any questions, please contact me at 6A04@anc.dc.gov. In addition to me, Commissioner Mike Velasquez (SMD 6A02) is authorized to represent the ANC in this matter.

On Behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

Copies to:

Ms. Lindsey Appiah, Deputy Mayor for Public Safety and Justice
LaShay Makal, Assistant Chief, Patrol Services South, Metropolitan Police Department
Colin Hall, First District Commander, Metropolitan Police Department
Shawn Rooney, Fifth District Commander, Metropolitan Police Department
Honorable Charles Allen, Ward 6 Councilmember
Honorable Brook Pinto, Chair of the Committee on Public Safety and the Judiciary

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Commission Correspondence of October 10, 2024 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



October 20, 2024

Director Sharon Kershbaum District Department of Transportation

Via email and the ANC Resolutions Website ‘

Re: ANC 6A Support for traffic calming on 11th Street NE between Florida Avenue and East Capitol Street

Dear Director Kershbaum:

At a regularly scheduled and properly noticed meeting¹ on October 10, 2024 our Commission voted 5-0-0 (with 4 Commissioners required for a quorum) to request that DDOT provide an update on prior commitments to traffic calming on 11th Street NE. As noted in our June 2023 letter (<https://anc6a.org/wp-content/uploads/ANC6A-Support-for-traffic-calming-11th-Street-NE.pdf>), residents have long requested vertical traffic calming and automated traffic enforcement to slow drivers. In response to this letter your agency replied (on July 7, 2023) that they planned to install 10 speed humps along the corridor. This promise was later rescinded for reasons we still do not fully understand. In the ensuing months there have been several crashes, including one into a corner store at 11th and C Street NE. One resident has had three cars parked on the street totaled by dangerous drivers. We urgently request your attention to this corridor before additional property and safety are threatened.

Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov, and Transportation and Public Space Committee Chair Shaun Lynch can be contacted at 6ATPSChair@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Commission Correspondence of October 10, 2024 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



October 20, 2024

Director Sharon Kershbaum
District Department of Transportation

Via email and the ANC Resolutions Website ‘

Re: ANC 6A Support for H Street NE Bus Priority: NOI-24-262-CPD

Dear Director Kershbaum:

At a regularly scheduled and properly noticed meeting¹ on October 10, 2024 our Commission voted 4-1-0 (with 4 Commissioners required for a quorum) to support DDOT's Notice of Intent NOI-24-262-CPD to convert 2-hour metered parking zones to 10-minute metered parking zones and Accessible (ADA) parking zones along the 300-1400 blocks of H Street NE. This follows ANC 6A's previous enthusiastic support of the H Street NE Bus Priority Project to install full-time (24/7) transit-only lanes on H Street NE. We are very excited to see this project move forward early in the new year. Our ANC truly appreciates the continued engagement that DDOT has had with the community on this significant project, and we are glad to see that our input has been reflected in updates to short-term and ADA parking along the corridor as presented in the NOI. Upon completion of the project we request DDOT continue to survey curbside usage and present findings to the ANC.

Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov, and Transportation and Public Space Committee Chair Shaun Lynch can be contacted at 6ATPSChair@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Commission Correspondence of October 10, 2024 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



October 20, 2024

Director Sharon Kershbaum
District Department of Transportation

Via email and the ANC Resolutions Website

Re: ANC 6A Support for Conversion of 1400 Block of G Street NE to One-Way Westbound

Dear Director Kershbaum:

At a regularly scheduled and properly noticed meeting¹ on October 10, 2024 our Commission voted (4-1-0) with 4 Commissioners required for a quorum) to support the conversion of the 1400 block of G Street NE to a one-way street going westbound from 15th Street NE to 14th Street NE. We understand that a one-way street (our preference for the 1400 block of G Street NE) going into another one-way street (the 600 block of 14th Place NE, which is currently one-way southbound) is unusual. However, constituents on the 600 block of 14th Place NE have expressed strong support for conversion to a one-way street, including in the September 16, 2024 regularly scheduled and properly noticed meeting of ANC 6A's Transportation and Public Space Committee. The current 1400 block of G Street NE is too narrow for vehicles to safely pass each other going in both directions and susceptible to speeding; recently installed speed humps have not solved the problem. In addition, all of G Street NE west of this block is already one-way only; and all of Gales Street NE east of this block is already one-way only. We hope you will consider this letter and take urgent action to convert the 1400 block of G Street NE to one-way.

Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov, and Transportation and Public Space Committee Chair Shaum Lynch can be contacted at 6ATPSChair@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Commission Correspondence of October 10, 2024 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



October 20, 2024

Director Sharon Kershbaum
District Department of Transportation

Via email and the ANC Resolutions Website ‘

Re: ANC 6A Urgently Requested Traffic Calming and Public Safety Measures at the Intersection of
14th St NE and Tennessee Ave NE

Dear Director Kershbaum:

At a regularly scheduled and properly noticed meeting¹ on October 10, 2024 our Commission voted 5-0-0 (with 4 Commissioners required for a quorum) to support all-way stop signs at Tennessee Avenue and E Street NE. In addition, our Commission reiterates long-standing requests for traffic safety, focused on the need to reduce speeding and add stop signs, at this location (TSIs 23-00021567, 23-0034634, 23-000530158, 23-00530242, 23-00530255, 24-000486671, 24-00486725, 24-00486759, 24-00487043, 24-00487110, and 24-00497866).

Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov, and Transportation and Public Space Committee Chair Shaun Lynch can be contacted at 6ATPSChair@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Commission Correspondence of October 10, 2024 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



October 20, 2024

Honorable Phil Mendelson, Chairman of the Council of the District of Columbia
Honorable Muriel Bowser, Mayor of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004
Via email and the ANC Resolutions Portal

Re: Office of Unified Communications (OUC)

Dear Chairman Mendelson and Mayor Bowser:

At a regularly scheduled and properly noticed meeting¹ on October 10, 2024, our Commission voted 5-0-0 (with 4 Commissioners required for a quorum) requesting that the Council and the Mayor recognize the serious and life-threatening failures of the Office of Unified Communications (OUC) and consider measures to include, but not limited to monthly (at minimum) reporting to a public meeting of the Council or its designated committee, and an attestation to the accuracy by the OUC Director. Such reporting may include OUC performance against key national 911 performance metrics, as well as against staffing metrics and adverse event reporting and analyses. The Commission also requests that the Council review the need for an external monitor or advisor to oversee the operations and performance of the OUC.

Since at least 2021, audits and other performance reviews, published by the DC Auditor, the press and other entities, have systematically documented what ANC commissioners, Council members and members of the press have heard on a case-by-case basis from DC residents. That is, the frightening and ongoing performance failures at the Office of OUC.

These problems include but are not limited to failures to meet national standards for call answering times; call dispatch (action) times; system accessibility (versus down time) and accuracy in event coding, dispatch type and dispatch information.

At minimum, these problems cause anxiety for constituents calling 911 and for first responders. In the worst cases, these problems have been associated with deaths of DC residents, including an infant, causing grief and loss for their families and trauma for first responders.

The responses of OUC leadership, the mayor and other members of the executive branch have, it appears, only exacerbated these problems and impeded critically needed remediation. These responses seem to focus on “spin” rather than on full disclosure, thereby preventing a timely, transparent and evidence-driven continuous quality improvement effort. Quite simply, the City needs and deserves a rapid, professional and effective response to this dangerous and, at times, catastrophic operational failure.

Accordingly, we ask the Council and the Administration to consider and implement the recommendations enumerated above, or comparable strategies for achieving, monitoring and reporting timely, significant

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Commission Correspondence of October 10, 2024 Meeting



and substantial progress toward a 911 service that meets or exceeds national standards and that supports city residents, businesses and first responders facing urgent and emergent situations.

Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

cc: Honorable Brianne Nadeau, Ward 1 Councilmember
Honorable Brooke Pinto, Ward 2 Councilmember
Honorable Matthew Fruman, Ward 3 Councilmember
Honorable Janeese Lewis George, Ward 4 Councilmember
Honorable Zachary Parker, Ward 5 Councilmember
Honorable Charles Allen, Ward 6 Councilmember
Honorable Vincent C. Gray, Ward 7 Councilmember
Honorable Trayon White, Sr., Ward 8 Councilmember
Honorable Kenyan McDuffie, Chair Pro Tempore of the Council of the District of Columbia
Honorable Anita Bonds, At-Large Councilmember
Honorable Christina Henderson, At-Large Councilmember
Honorable Robert White, At-Large Councilmember
Ms. Lindsey Appiah, Deputy Mayor for Public Safety and Justice
Pamela Smith, Chief of Police, Metropolitan Police Department



Commission Correspondence of October 10, 2024 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



October 23, 2024

Ms. Keara Mehlert Secretary of the Board of Zoning Adjustment
Board of Zoning Adjustment
441 4th Street NW, Suite 210
Washington, DC 20001

Via email and the ANC Resolutions Website

Re: ANC 6A BZA #21196 Support for Special Exception (910 12th Street, NE)

Dear Ms. Mehlert:

At a regularly scheduled and properly noticed meeting¹ on October 10, 2024 our Commission voted 5-0-0 (with 4 Commissioners required for a quorum) to support the request for a Special Exception for relief from the lot occupancy requirements of Subtitle E § 210.1 pursuant to Subtitle E § 5201.1 and Subtitle X § 901.2, the roof top and upper floor element requirements of Subtitle E § 204.1 pursuant to Subtitle E § 204.4 and Subtitle X § 901.2, and the rear wall requirements of Subtitle E § 207.4 pursuant to Subtitle E § 207.5 to construct a two-story with cellar, rear addition, to an existing, attached, three-story, principal dwelling unit in the RF-1 zone. The design has taken measures to ensure that the addition is in the character of the neighborhood and it will not disrupt the privacy, air and light of neighbors. The owner has proven that the Special Exception criteria has been met through submission of architectural drawings and discussions with neighbors. The ANC believes that this development will not substantially visually intrude upon the character, scale, and pattern of houses in the neighborhood. Please be advised that Joal Mendonsa, Michael Cushman, and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at amberanc6a@gmail.com, Mr. Cushman at michael.cushman@gmail.com, and Joal Mendonsa at joal.mendonsa@gmail.com.

Thank you for giving great weight to the recommendations of this Commission. Joal Mendonsa, Michael Cushman, and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at 6A04@anc.dc.gov, Mr. Cushman at michael.cushman@gmail.com, and Joal Mendonsa at joal.mendonsa@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Consent Agenda



Alcohol Beverage and Cannabis (ABC)

Recommendation: ANC 6A sign a letter of support for the substantial change to the Class C tavern license at Dirty Water, 816 H Street NE (ABRA-125771).



Officer Reports - Treasurer



Treasurer's Report November 2024

		November 1, 2024	October 1, 2024	September 1, 2024
Assets				
Type	Description			
Cash	Checking Account	\$ 30,879.53	\$ 31,691.00	\$ 37,413.84
Cash	Savings Account	\$ 100.05	\$ 100.05	\$ 100.05
Cash	Petty cash	\$ 25.00	\$ 25.00	\$ 25.00
Liabilities				
Type	Description			
Current Liabilities	Accounts Payable	\$ 3,566.56		
Balance		\$ 27,438.02		

Payee	Expense	Amount	Check No.	Status
Steve Moilanen	Docusign subscription May '24	\$ 15.90	2109	Unpaid
Irene Dworakowski	Administrative services July '24	\$ 771.19	2119	Unpaid
Irene Dworakowski	Administrative services August '24	\$ 471.19	2120	Unpaid
Anna Tsaur	Administrative services September	\$ 250.00	2126	Unpaid
Irene Dworakowski	Administrative services September	\$ 771.19	2127	Unpaid
Steve Moilanen	Docusign Subscription September	\$ 15.90	2128	Unpaid
Anna Tsaur	Administrative services March '24	\$ 250.00	2129	Unpaid
Irene Dworakowski	Administrative services Oct '24	\$ 771.19	2133	Unpaid
Anna Tsaur	Administrative services Oct '24	\$ 250.00	2134	Unpaid
		\$ 3,566.56		



Committee Reports
Community Outreach Committee (COC)



Agenda

**Advisory Neighborhood Commission 6A Community Outreach Committee
October 28th, 2024, 7:00 pm
Virtual Meeting Notes**

Attendees

Gail Sullivan
Renee
Paul Spires
Ashley Blake

7:06 pm **Call to order**

7:01 pm **Adoption of Agenda and Approval of Minutes**

7:02 pm **IceBreaker - Just because I'm**

7:10 pm **Announcements & Updates - Reminder of Sunday morning cleanups on I st-
People's Front of H street Group**

7:30 pm **Art All Night H Street Youth Street Art activation is now on display/ Voting Poll
Locations**

7:34pm **Community Outreach Question(Police presence)/ How to get involved in ANC**

8:08 pm **Adjourn**



Committee Reports

Alcoholic Beverage and Cannabis (ABC)



Minutes

Alcoholic Beverage and Cannabis (ABC) Committee
Advisory Neighborhood Commission (ANC) 6A
Tuesday, October 22, 2024, 7:00 pm
Virtual Meeting via Zoom

Pursuant to notice duly given, a meeting of the Alcoholic Beverage and Cannabis (ABC) Committee (**“Committee”**) of ANC 6A was held commencing at 7:00 pm ET on October 22, 2024, on a publicly posted Zoom event.

Committee Members Present: Erik Lockett and Erin Blumenthal (joining later)

Commissioners Present: Roberta Shapiro and Mike Velasquez

Establishment Representatives Present: Yolanda Bustos (Alero), Cameron Mixon (on behalf of Alero), and Jeffrey Jackson (representing Bloom), Sean Morris (Dirty Water)

- I. Call to Order/Approval of Agenda/Approval of Minutes
 - Interim Chair Velasquez called the meeting to order just after 7:00 pm.
 - Interim Chair Velasquez indicated the reason for the last-minute change to the agenda and received unanimous consent to proceed with the modified agenda.
- II. Community Comment
 - No community members requested to comment.
- III. New Business
 - Discussion of a substantial change to the Class C restaurant license with alcohol delivery and carry out endorsement Alero H Street at 1301 H Street NE (ABRA-130290)
 - Mr. Mixon introduced Operating another Alero in the U Street and Dupont Circle area, serving Mexican food, beer, wine, and cocktails with seating outdoors
 - Hours on the application include sales from 9a-2am Sun-Thurs and 9am-3a Fri and Sat
 - Mr. Martin, owner of the condo building, submitted a public space permit
 - **Commissioner Velasquez affirmed the Commission and community’s desire to welcome and support small business owners along the H Street corridor. He also asked about the outdoor seating and use of the basement for restaurant service, which Ms., Bustos affirmed, saying “only restaurant in the basement.”**
 - He also reminded Alero of the proximity of residents not only above but across from and adjacent to the location. They acknowledged that and expressed their intent to have the close the patio at 10 or 11 and to have the entrance along H St, not 13th St. The public space permit includes an awning to contain any sound from the patio.
 - Commissioner Shapiro asked clarifying questions about alcohol carry out and delivery. Mr. Mixon affirmed that DC does not allow open containers and open consumption and that the endorsement allows for patrons to take covered beverages to a private space to consume.
 - Commissioner Shapiro also expressed concern about outdoor hours and asked that such limited hours be specified in the settlement agreement. Mr. Mixon



Committee Reports

Alcoholic Beverage and Cannabis (ABC)



seemed open. Ms. Bustos mentioned she closes the patio early at her current establishments.

- Mr. Lockett echoed the concerns and spirit of the limited hours.
- Commissioner Velasquez explained the ABC and ANC process and motions. Mr. Lockett volunteered to assist with a settlement agreement
- Commissioner moved that the Committee recommend that the ANC protest the application unless a settlement agreement is reached.
 - Commissioner Shapiro seconded the motion and the motion passed unanimously 3-0.
- Discussion of a new application for a Class C tavern license with sidewalk café, entertainment and cover charge endorsements at DC Capitol Square Bar and Grill at H St at 1401 H St NE (ABRA-129985).
 - Commissioner Velasquez informed the Committee that in a discussion with Mr. **Jackson, the applicant's representative, they discovered the application was** flawed in that the application included an incorrect address. The application should have been for 1402 H St.
 - Despite that, the Committee proceeded with a discussion of an application for 1402 H St. Mr. Jackson reminded the Committee that he had appeared before the Committee on behalf of Bloom at 1402 H St and a settlement agreement had been reached. He expressed that the applicant intends to sign a similarly worded agreement.
 - Commissioner Velasquez mentioned that while the content of settlement agreements have not changed substantially, the ANC approved a new, simpler SA and the Committee will forward the new format to Mr. Jackson for review.
 - **Mr. Jackson displayed and described artist's renderings of the sidewalk café. He also invited everyone to visit the applicant's current restaurant on East Capitol St.**
 - Commissioner Shapiro asked if music would be played or projected on the sidewalk café. Mr. Jackson said no.
 - She also asked about complaints or violations at the East Capitol St location. Mr. Jackson noted that noise complaints had arisen around a couple of events at the location.
 - Mr. Jackson mentioned a future request for a stipulated license and Commissioner Velasquez assured him the Committee would consider it as soon as it was received.
 - Commissioner Velasquez moved that the Committee recommend that the ANC protest the license until a settlement agreement is reached
 - Commissioner Shapiro seconded the motion and the motion passed unanimously (3-0).
- Discussion of a request for a substantial change to increase occupancy from 66 to 198 for Dirty Water at 816 H St NE (ABRA-125771).
 - Luke Casey, the owner, explained that his Certificate of Occupancy (CoFO) allows for 198 and he wanted to bring the license he assumed from the previous owner up to the capacity allowed by the CoFO.



Committee Reports

Alcoholic Beverage and Cannabis (ABC)



- He is not planning to expand operations nor change hours; he just wants his license to be in compliance.
- Commissioner Velasquez acknowledged the transparency and his support.
- Commissioner Shapiro asked about any warnings or violations. Mr. Casey mentioned he had noise complaints early and took swift action to mitigate.
- Erin Blumenthal asked about issues with queuing, and Mr. Casey said he had no issues since the business was on the third floor.
- Erin Blumenthal moved that the Committee recommend that the ANC sign a letter of support for the substantial change.
 - Commissioner Velasquez seconded the motion and the motion passed unanimously (4-0).
- Commissioner Velasquez initiated a discussion about timing of the November and December meetings, proposing having them one week earlier - November 19 and December 17. The Committee members agreed to the change.
- The next meeting is scheduled for Tuesday November 19, 2024 at 7:00 pm.

The meeting was adjourned around 7:40 pm.



Committee Reports Transportation and Public Space (T&PS)



No report. TPS did not meet in October 2024.



Committee Reports

Economic Development and Zoning Committee



No report. EDZ did not meet in October 2024.



New Business



1. Suggested Motion: ANC 6A write a letter to the Mayor, City Manager, the Directors and Deputy Director of the Department of Parks and Recreation (DPR) and the Department of General Services (DGS), and the City Council inquiring:
 - 1) Why the work on capital improvements of various outdoor space at Sherwood has not begun as scheduled;
 - 2) Why routine maintenance to repair dangerous failures in the recently replaced playground surface have not been made;
 - 3) Why the recumbent swing has not been replaced months after being removed;
 - 4) Why Sherwood seems to be excluded from special programming such as movies, holiday events, etc. frequently offered at other sites;
 - 5) Why congregating with alcohol and drug consumption is allowed on the recreational center property on a continuing basis; and
 - 6) What are the plans and timelines for addressing the above five issues.
2. Suggested Motion: ANC 6A authorize Commissioner Dave Wethington or EDZ Co-Chairs Joal Mendonsa or Michael Cushman to testify to the DC Council Committee of the Whole regarding B25-1003: 2024 Vacant to Vibrant Act. <https://lims.dccouncil.gov/Legislation/B25-1003>



New Business



November XX, 2024

Director Thennie Freeman
District Department of Parks and Recreation
Director Delano Hunter
District Department of General Services

Via email and the ANC Resolutions Website ‘

Re: ANC 6A concerns regarding Management of Sherwood Recreation Center

Dear Directors Freeman and Hunter:

At a regularly scheduled and properly noticed meeting¹ on November 14, 2024 our Commission voted X-X-X (with 4 Commissioners required for a quorum) to express our concerns related to the conditions at Sherwood Recreation Center.

In May 2023, this ANC sent official correspondence to Director Freeman outlining concerns the conditions of Sherwood Recreation Center, including the outdoor athletic and playground, the lack of programming comparable to other DPR facilities, and the use of the Recreation Center as a night shelter in the winter. Approximately two months later, when no response was received, the letter was resent. Again, there was no response to the ANC.

Then, approximately one year ago, City Manager Kevin Donahue called Commissioner Shapiro with the very welcome news that he had allocated \$1.4 million in funding for capital improvements to the outside facilities, and the also welcome news that more appropriate facilities had been found for night shelter use. This would, in theory, allow Sherwood to have longer operating hours and more robust programming.

At Mr. Donahue’s request, a community meeting was held in mid- January in order to solicit input from residents regarding priority projects for use of the allocated funds. A consensus was reached that included: the track and field, the basketball court, the tennis courts and replacement of certain equipment on the playground. DPR/DGS promised that a more detailed plan and schedule would be forthcoming in a couple of weeks. The group also discussed the lack of routine maintenance in and around the facility and DGS promised an inspection and update.

During the subsequent months, repeated attempts by residents, the City Council members office and the relevant ANC Commissioner to ascertain when the project would be started and completed went generally unanswered. Finally, we were told the project would start by late October, however, by the end of the first week of November, there were no signs that the project was underway. In the interim, a number of maintenance and safety problems at the site also developed and either were not addressed or were addressed only after months of inquiries by residents and their representatives. Finally, late on Friday November 8th, DPR provided the following information:

¹ ANC 6A meetings are advertised electronically on, anc-6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.



“My apologies for the delay in messaging you regarding Sherwood Recreation Center.

First, I am pleased to share that DGS contractors will begin mobilizing on Tuesday, November 12 to begin work associated with the milling and overlaying of the basketball and tennis courts.

Second, on Monday, November 18th we anticipate work will begin on the athletic field.

Finally, with respect to the playground. DGS will complete a playground safety inspection next week to identify any necessary repairs or missing items for the existing play equipment. The contractor is coordinating with the inspector and intends work with DPR and DGS staff to facilitate the inspection on site.

As you know, we are aware of the missing swing and will have the contractor order the necessary replacement part. We anticipate the lead time for this equipment is roughly three- six weeks. Any additional missing or replacement parts will be identified during the playground safety inspection next week and subsequently ordered.

Additionally, with regard to PIP Playground Surface Repair we are pleased to inform you that the foreman and his crew will be coming from New York on Monday, November 11 to repair the holes in the PIP playground surface. They will cone and tape off the area of the repairs as they will need to cure for (24) hours. It is important that the surface is not walked on during this time. DGS has informed DPR and Shawna Friedman of School within School of this upcoming repair.”

Although we are deeply grateful to the City, DPR, and DGS for this recent update and pending progress, we continue to be concerned about how the process has been managed, and the ongoing inattention to routine maintenance and programming at Sherwood. Specifically, we are asking DGS/DPR to respond to the following questions or requests.

- a) Why was the work on capital improvements of various outdoor space at Sherwood not begun as scheduled in October?
- b) We are requesting that DPR and/or DGS provide, to Councilmember Allen, SWS and the ANC, the expected completion dates, and any deviation therefrom, for the various components of the project listed in the November 8, 2024 email.
- c) We are requesting that a joint evaluation with DPR/DGS, SWS representatives and a representative of the ANC and/or CM Allen’s office be performed once the playground surface repairs and capital projects are complete.
- d) We are asking why facility inspections and routine maintenance such as light replacements in the gym, workout equipment repairs, replacement of missing playground equipment, repair of large, deep and dangerous holes in playground surfaces, rat abatement, garbage enclosure repairs, replacement of the recumbent swing and other routine maintenance are not performed in an ongoing timely manner, and why ensuring maintenance is conducted requires almost continuous prodding by the ANC commissioners, Councilmember Allen’s office and/or constituents.
- e) We are asking why Sherwood seems to be excluded from robust routine programming typical of other DPR sites, and also from special programming such as movies, holiday events, etc. frequently offered at other DPR sites;



New Business



- f) Finally, we are asking why congregating with alcohol and drug consumption is allowed on the recreational center property on a continuing basis.

Once again, we are grateful that these funds were allocated and that the project may finally be moving forward, but question why this valuable City resource is not managed in a more efficient and effective manner that would enhance the benefits for the residents of our community.

Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov, and Commissioner Shapiro can be contacted at 6A03@anc.dc.gov.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

Cc: City Manager Donahue
City Council Members Allen, Frumin and George



Testimony of Commissioner Dave Wethington, 6A05
Before the Committee of the Whole
Vacant to Vibrant Amendment Act of 2024
November 15, 2024

Good morning, Chair Mendelson, Members of the Council, and committee staff. My name is Dave Wethington, and I represent Single Member District 6A05. Today I am testifying on behalf of ANC 6A, whose area extends from Florida Avenue Northeast to East Capitol Street, between 7th and 15th Streets Northeast. I appreciate the opportunity to testify today in **support of the “Vacant to Vibrant Amendment Act of 2024,” a legislative step that my** colleagues and I hope will make significant progress in addressing the long-standing issue of vacant and blighted properties among our community.

The Urgency of Addressing Vacant and Blighted Properties

Vacant and blighted properties are more than eyesores; they pose serious challenges to community safety, economic growth, and neighborhood morale. Properties that remain neglected can attract crime, diminish surrounding property values, deprive residents of needed housing and commercial services, and deter investment that could foster vibrant, thriving communities. For years, residents have called for stronger measures to combat these issues, and we commend this committee for proposing some of the solutions that will benefit both our residents and our neighborhoods.

As of November 2024, public data from DC’s Department of Buildings (DOB) indicates that there are 3,520 reported total vacant properties across the District, consisting of 2,816 vacant buildings, 333 listed as ‘blighted,’ and 64 listed as ‘exempt.’ In ANC 6A, the DOB dashboard reports 114 total vacant properties, with 100 vacant buildings, 6 ‘blighted,’ and 6 ‘exempt.’ It should be noted, however, that these numbers may be undercounted due to failures in reporting, inspection, and classification, as well as a myriad of methods for vacant and blighted buildings to be reclassified. While the geographic distribution of these properties spreads across ANC 6A, there are marked trends of higher concentration of vacant properties along the H Street corridor. Nearly 30 vacant properties are reported along and adjacent to a 7-block span of this once-vibrant stretch of H Street NE. Over half of the reported properties have been vacant for more than five years. This concentration has significant implications for the economic viability of the H Street corridor, impacting local businesses and community investment. Research has shown that clusters of vacant properties can contribute to declining property values and discourage foot traffic, affecting small businesses that rely on a vibrant and active street presence.

Commercial centers like H Street - which is otherwise a bustling corridor with residents, businesses, a streetcar, upcoming bus lanes, and significant foot traffic - should not be plagued by long-term vacancies. Research demonstrates that vacant and blighted properties are often associated with higher crime rates. The neglected nature of these properties can attract illegal activities, creating safety concerns for residents and businesses alike. According to the Urban Institute, long-term vacant properties have been linked to increased rates of crime and decreased neighborhood safety (Urban Institute, "The Cost of Vacant



Properties"). Additionally, the U.S. Department of Justice has highlighted that vacant structures can contribute to conditions that foster criminal activity, underscoring the importance of addressing this issue as part of a broader strategy to improve public safety (U.S. Department of Justice, "Vacant and Abandoned Properties: Turning Liabilities into Assets"). Addressing these properties through targeted legislation will not only improve the economic prospects of economic drivers like the H Street corridor, but also enhance public safety and community confidence across the District.

It should also be noted that ANC 6A has a number of empty residential properties, some of which, such as 1000 C St. NE, have been vacant for more than 10 years. Another example, at 1100 F St. NE, is a 70-plus unit residential building from which tenants were removed approximately five years ago and which has sat vacant since then. In its empty state it has attracted squatters, drug use, and represents an unsightly - and at times dangerous - community encumbrance.

Key Legislative Enhancements

Overall, ANC 6A supports the pivotal changes that the “Vacant to Vibrant Amendment Act” incorporates, which mark a shift from reactive to proactive enforcement. I wanted to take the opportunity to highlight a couple of key provisions that are included in the proposed legislation, as well as identify some inherent challenges.

Tiered Tax Structure - Current enforcement mechanisms and tax penalties have proven insufficient to motivate property owners to rehabilitate blighted properties, occupy vacant properties, or sell properties to responsible owners. We appreciate the proposed progressive tax on vacant and blighted properties, which is designed to encourage property owners to take timely action. However, while we recognize the intent to incentivize productive use and prevent prolonged neglect, the proposed structure may inadvertently lessen pressure on property owners to act. Initial assessments of the legislated penalty rates on vacant/blighted properties appears to *reduce* the burden on the offending party - this would be an unacceptable outcome. Maintaining stronger economic pressure in the early years of vacancy by accelerating the timeline for reaching maximum rates may be more effective, rather than waiting until year five for maximum penalties. Further, we would encourage increasing maximum rates beyond current levels for properties vacant more than five years to create meaningful economic consequences for the most egregious cases of long-term vacancy.

Tiered Registration and Registration Failure Penalties - We believe that the re-registration fees, and penalties for failure to register should be much higher for larger multi-family, commercial and mixed-use properties. We would propose they are indexed in relation to assessed value, thereby recognizing the difference between a small single property and a large property owned by an international development company (as in the case of 1100 F St NE).

Provisions to Discourage Vacancy Prior to (Re)Development - We understand that the financial climate surrounding proposed development can change sometimes very rapidly. However, we **believe that the bill fails to adequately address “land-banking” activity**, where residential or commercial properties are removed from productive use and then redevelopment plans are



abandoned or long delayed. Accordingly, we strongly suggest additional provisions that would disincentivize removal of commercial or residential tenants more than six (6) months before work actually commences on redevelopment. In addition, we would recommend that zoning **exceptions, variances, or upzoning grants should “sunset” if redevelopment does not begin within [36] months. An example of such a situation is the large “Autozone” property on H** which was upzoned, emptied off its tenant and now sits vacant with no development in sight.

Expanded Receivership Authority - **By broadening the city’s ability to appoint court-**ordered receiverships for properties that remain neglected, the legislation empowers the government to step in more decisively to ensure these properties do not stagnate indefinitely. The D.C. government is in critical need of a more effective mechanism to acquire and rehabilitate long-term vacant properties. The creation of new tax sale process for Class 3 and Class 4 properties will also provide the District with clear authority to foreclose on chronically vacant properties and transfer them to responsible owners. We hope these tools will expedite the process of transferring these properties to responsible parties who can rehabilitate them.

Financial Incentives and Assistance Programs - The introduction of financial incentives aimed at motivating property owners to rehabilitate or repurpose their vacant or blighted properties is a welcome component of this draft legislation. We acknowledge that these incentives are designed to offset some of the costs associated with property improvements and encourage compliance, which is essential for both preventing properties from becoming vacant and encouraging investment in the rehabilitation of long-term vacant properties. However, it is unclear if commercial, mixed-use, or multi-unit residential buildings are contemplated to be treated in a different way under this proposed legislation. We encourage the drafters to continue to consider expansion of provisions to specifically address commercial vacancies, recognizing that vacant properties in commercial areas are particularly devastating to a **neighborhood’s economic vitality. Also, those receiving these tax abatements must somehow be required to pass on the benefits to prospective tenants through more attractive rents, leasehold improvements or tax savings pass-throughs on “net” leases.**

Mandatory Maintenance Plans - Requiring property owners to submit detailed maintenance plans is intended to ensure that they remain accountable for the upkeep of their properties, thus preventing degradation and reducing the risks associated with unsafe structures. The proposed legislation places the responsibility for maintenance squarely on the shoulders of the property owner right from the beginning by designating a responsible party to execute that plan while registering a property as vacant. While requiring a maintenance plan will not guarantee that it will be faithfully carried out in all instances, this requirement does provide District agencies, especially the Department of Buildings, as well as neighbors the contact information for the responsible party. It is our hope that this information will allow much earlier intervention when a property begins to drift toward becoming a public nuisance.

Involvement of Advisory Neighborhood Commissions - At various points in the legislation, parties are required to give notice to their relevant ANC. In addition, ANCs can formally request that a property be designated vacant or blighted. This inclusion of ANCs as stakeholders in this vacant and blighted properties program is an important tenet of this and any future legislation regarding vacant properties. As organizations focused at the grass-roots



of our neighborhoods, ANCs are in a position to be aware of vacant and blighted problems in the community and provide important historical context. In this manner, ANCs may be able to assist District agencies in bringing these properties back into productive use. Recognizing this unique function of ANCs, a number of Commissioners now participate actively in an ANC **“caucus” on vacant and blighted properties, identifying such properties within their jurisdiction and suggesting priority actions that the District government, as a whole, can take to deal effectively with these properties.**

Need for Additional Support

We believe this legislation will lead to tangible improvements in the District by furthering the framework to encourage timely rehabilitation or repurposing of vacant properties. It aligns financial interests with the public good, compelling property owners to take action. Furthermore, stronger enforcement tools seek to reduce administrative burdens and improve outcomes for communities that have historically borne the brunt of vacancy-related challenges. To enhance the effectiveness of this bill, additional funding may be needed to support rehabilitation programs. Financial assistance for property owners who want to renovate but lack the resources would complement the enforcement measures and promote productive property use. Moreover, investing in technology and staffing will be crucial to ensure that data collection, monitoring, and enforcement processes are both efficient and effective.

We believe that key definitions and determinations should be strengthened in this amendment to existing legislation.

- 1) The definition of the term *blighted* needs to be expanded and applied more appropriately. There are many buildings which are clearly blighted (e.g. 1100 F St NE) but DOB does not classify them as so. The definition should incorporate factors that would result in an automatic classification. Some examples of these factors could include: a building which has required DC government intervention for boarding or security repairs; DOB and/or D.C. Metropolitan Police Department (MPD) involvement in the removal of trespassers; DOB mowing or repair of fencing and/or graffiti removal; etc. We believe that this definition is appropriate for commercial and multifamily properties, if not for single homeowners.
- 2) The term *vacant* needs to clarify what happens when an owner installs one person in one unit of a large multi-unit or mixed-use structure. DOB currently does not count this as vacant even though the structure is predominantly out of use. Further, the definition of *vacant* should clarify that even in the absence of an owner registration, **DOB can inspect and determine a building to be “vacant.” The amendments are not clear on this issue, frequently using the term “registered as vacant.”**

Finally, greater coordination between DOB, MPD (to accompany DOB inspectors into buildings that may contain trespassers) and D.C. Office of Tax and Revenue (OTR) must be achieved in order to assure timely and efficient implementation of the intent of the law.

Conclusion

We appreciate that the “Vacant to Vibrant Amendment Act of 2024” is not just a legislative



New Business



change; it is a step forward toward a renewed commitment to the health, safety, and prosperity of all Washington, D.C., residents. The impact in ANC6A, particularly on the H Street corridor, will be welcomed. Addressing the concentration of vacant properties in our neighborhoods will foster economic growth, enhance public safety, and restore community confidence in one of our most vibrant corridors.

While the Act represents a significant step forward in addressing vacant and blighted properties, there remain opportunities to strengthen the legislation, particularly regarding the unique challenges of commercial properties and corridors, the tax rate structure for the most egregious and long-standing vacant properties, and ensuring tax sale properties become opportunities for sustainable homeownership rather than corporate investment.

While these challenges should be considered prospectively, this legislation represents a critical step forward. As such, we urge this committee to move forward with the passage of this bill, ensuring that the District can add much-needed tools to effectively tackle the pressing issue of vacant and blighted properties.

Thank you for your attention and for the opportunity to support this important legislation. ANC 6A looks forward to continuing collaboration toward a brighter, more vibrant future for our community.



OFFICE OF CHAIRMAN PHIL MENDELSON COUNCIL OF THE DISTRICT OF COLUMBIA

Statement of Introduction

“Vacant to Vibrant Amendment Act of 2024”

As of September 6, 2024, data from the Department of Buildings indicates that there are roughly 2,852 vacant properties and 345 blighted properties in the District. Many of these properties have been vacant or blighted for years, negatively impacting the neighborhoods and communities in which they are located.

Over the years, the Committee of the Whole has worked with the Department of Buildings (and its predecessor agency, the Department of Consumer and Regulatory Affairs) to increase staff resources and enhance enforcement efforts. While these efforts have produced results, they are undermined by gaps and deficiencies in the law. As such, in the summer of 2023, my office assembled a diverse group of stakeholders, including ANC Commissioners, Business Improvement District representatives, researchers, and District agencies, to examine the District’s current vacant and blighted property law and develop legislation to address deficiencies and gaps in the law. The group, known as the Vacant and Blighted Property Working Group, examined everything from the causes of vacancy and blight to the tax sale process. In doing so, they found that:

- Many properties become vacant or blighted due to the death of a homeowner, personal or economic hardship, or foreclosure;
- The District does not have interventions aimed at preventing vacancy or blight;
- Some current definitions in the law are ill-defined, and some exemptions lack appropriate timeframes;
- Current tax rates for Class 3 and Class 4 are overly burdensome to many property owners;
- The District lacks a holistic plan to address vacant and blighted properties;
- The District lacks effective mechanisms to acquire vacant and blighted properties in order to get the properties back into productive use; and
- The District has no specific incentives for the redevelopment or rehabilitation of vacant and blighted properties.

To address these deficiencies and gaps, the Working Group developed the “Vacant to Vibrant Amendment Act of 2024,” which would, among other things:

- Create a “tangled title” information sheet that funeral service providers must give decedents;
- Expand the single-family home rehabilitation program;
- Codify a real property tax payment plan for low-income and senior residents;


- Revise definitions and reconfigure exemption timeframes;
- Increase penalties for failure to register, particularly in instances where a property owner repeatedly fails to register a property or properties;
- Establish a vacant property receivership process modeled off of the City of Baltimore's that would enable the District to acquire and sell certain properties to non-profits and developers for redevelopment or rehabilitation;
- Require the Mayor to submit a holistic vacant and blighted building plan to the Council every three years;
- Restructure Class 3 and Class 4 tax rates so that the tax rate increases each year over a period of four years, allowing some relief to struggling property owners;
- Establish a new tax sale process for Class 3 and 4 properties that would allow the District to foreclose on Class 3 and Class 4 properties eligible for tax sale and auction property for the redevelopment or rehabilitation; and
- Create a vacant and blighted home revitalization tax credit program and a tax abatement for the redevelopment of vacant and blighted commercial properties.

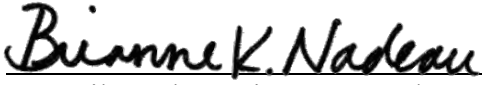
The theory behind this bill is that vacant properties become a nuisance as well as being a drag on their neighborhoods, but this is not immediate. Thus, this bill adopts measures to prevent vacancies, recognizes that short-term vacancies are usually not a problem, incentivizes property owners to minimize the duration of vacancies, and creates tools for the government to transition longer-term vacancies back into productive use. Taken together, the proposals in this bill will ensure that the District will be better positioned to prevent vacancy and blight, address violations of the law, and get vacant and blighted properties back into productive use.

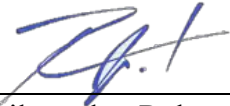
If you have any questions about this legislation, please contact Blaine Stum, Senior Policy Advisor for the Committee of the Whole, at bstum@dccouncil.gov.



Chairman Phil Mendelson

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2 Councilmember Anita Bonds

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5 Councilmember Brianne K. Nadeau

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8 Councilmember Robert C. White, Jr.

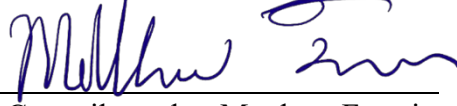
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11 Councilmember Janese Lewis George

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14 Councilmember Zachary Parker


Chairman Phil Mendelson


Councilmember Charles Allen


Councilmember Brooke Pinto


Councilmember Matthew Frumin

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25 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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30 To require the Department of Aging and Community Living to create a tangled title information
31 sheet and to require funeral service providers to give the information sheet to survivors of
32 a deceased District resident; to amend Title 18 of the District of Columbia Official Code
33 to allow for the creation of an electronic will registry; to establish a single family home
34 rehabilitation program; to amend Chapter 8 of Title 47 of District of Columbia Official
35 Code to establish payment plans for the payment of delinquent real property taxes; to
36 amend Title 29 of the District of Columbia Official Code to require all commercial
37 registered agents to accept service of process by electronic mail; to amend Subchapter II
38 of Chapter 31A of Title 42 and Chapter 12 of Title 47 of the District of Columbia Official
39 Code to conform the notice process provisions in Subchapter I and amendments to Title
40 29; to amend An Act To provide for the abatement of nuisances in the District of
41 Columbia by the Commissioners of said District, and for other purposes, to amend
42 definitions, factors for establishing vacancy or blight, and exemptions from registration,
43 to require the submission of vacant building maintenance plans, and to allow the Mayor
44 to petition the Superior Court of the District of Columbia for vacant property receivership
45 actions; to amend the Construction Codes Approval and Amendments Act of 1986 to
46 require the Department of Buildings to establish an expedited permit review process for

certain construction and building permits for Class 3 and 4 properties; to amend Section 47-812 of the District of Columbia Official Code to establish new tax rates for Class 3 and 4 properties; to amend Chapter 13A of Title 47 of the District of Columbia Official Code to establish a new process for tax sales of Class 3 and 4 properties; and to amend Title 47 of the District of Columbia Official Code to establish a tax credit for the renovation or rehabilitation of Class 3 or 4 properties and to establish a tax abatement for the renovation or rehabilitation of Class 3 or 4 properties that are used for commercial purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Vacant to Vibrant to Amendment Act of 2024”.

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TITLE I. PREVENTION OF VACANT AND BLIGHTED PROPERTIES.

SUBTITLE A. TANGLED TITLE INFORMATION SHEET.

Section 102. Definitions.

For purposes of this section, the term:

(1) “Department” means the Department of Aging and Community Living.

(2) “Funeral services establishment” shall have the meaning as § 3–402(11).

(3) “Survivor of the deceased” means a spouse, child, or companion of the deceased with whom funeral services are being arranged.

Sec. 103. Tangled Title disclosure.

(a) Within 180 days of the effective date of the Vacant to Vibrant Amendment Act of 2024, the Department shall, in consultation with the Department of Housing and Community Development and the Superior Court of the District of Columbia, create and make publicly available a tangled title information sheet detailing the steps necessary for an heir or heirs, after the death of a title property owner, to legally transfer the property to avoid a tangled title. The information sheet shall also include information on legal service providers who offer low-cost or no-cost services for probate, estate, and trust administration.

(b) No later than five days after the final disposition of the deceased, a funeral service establishment shall provide the tangled title information sheet made available by the Department to survivors of the deceased.

98 **SUBTITLE B. ELECTRONIC WILL REGISTRY.**

99 Sec. 104. Title 18 of the District of Columbia Official Code is amended as follows:

100 (a) The table of contents is amended by adding a new chapter 10 to read as follows:

101 “Chapter 10. Register of wills.

102 “§ 18-1001. Electronic register of wills.”.

103 (b) A new chapter 10 is added to read as follows:

104 “§ 18-1001. Electronic register of wills.

105 “(a) An electronic will that meets the requirements of the Uniform Electronic Wills Act
106 (D.C. Official Code § 18-901 *et seq.*) may be deposited by a testator, or by the testator’s agent,
107 with the Register of Wills to be safely kept until delivered or disposed of as hereinafter provided.

108 “(b)(1) The will shall be deposited electronically and in a manner which would track any
109 viewing or modification after deposit of the will.

110 “(2) The will is not to be delivered or opened except as provided in this section.

111 “(3) Upon payment of the required fee, the Register of Wills shall give a receipt to
112 the testator or testator’s agent.

113 “(c) The Register of Wills shall retain a permanent copy of an electronic will and a copy
114 of any other document associated with the will, in paper, photographic, magnetic, mechanical,
115 electronic, digital, or any other medium if the copy is maintained in a manner that:

116 “(1) Is clear and legible;

117 “(2) Accurately reproduces the original document in its entirety, including any
118 attachments to the document;

119 “(3) Is capable of producing a clear and legible hard copy of the original
120 document; and

121 “(4) Preserves evidence of any signature contained on the document.

122 “(d) During the lifetime of the testator, a deposited will may be delivered only to the

123 testator, or to a person authorized by the testator in writing to receive it.

124 “(e)(1) The will shall be opened by the Register of Wills after being informed of the death

125 of the testator.

126 “(2) The Register of Wills shall notify the personal representative named in the

127 will that the will is on deposit with the Register of Wills.

128 “(3) The will shall be retained by the Register of Wills as a deposited will until

129 offered for probate.

130 “(4) If the proper venue for the probate of the will is in another court, the will

131 shall be transmitted to such Court; provided, that before such transmission a true copy thereof

132 shall be made and retained in the Court in which the will was deposited.

133 “(f) The Register of Wills shall develop procedures for a testator or testator’s agent to

134 withdraw and/or replace a registered will during the lifetime of the testator.”.

135 **SUBTITLE C. SINGLE FAMILY HOME REHABILITATION PROGRAM.**

136 Sec. 106. Definitions.

137 (a) For purposes of this section, the term:

138 (1) “Department” means the Department of Housing and Community

139 Development.

140 (2) “Eligible homeowner” means an owner (or owners) who:

141 (A) Own a single-family residential property;

142 (B) Whose household income is 120% of median family income or less;

(C) Has resided in the single-family residential property as a primary residence for at least 3 years;

(D) Is current on all mortgage payments for the last 12 months;

(E) Is current on all District and federal taxes; and

(E) Possesses current homeowners insurance.

(3) “Median family income” means the median family income for a household in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development, adjusted for family size without regard to any adjustments made by the United States Department of Housing and Urban Development for the purposes of the programs it administers.

(4) “Single-family residential property” shall have the same meaning as § 47–803(6).

Sec. 107. Single-family home rehabilitation program.

(b) The Department may offer grants of up to \$60,000 to an eligible homeowner to pay for the following:

(1) Accessibility modifications to adjust physical barriers within the property for a person with limited mobility or other physical impairments;

(2) Repairs or replacement of the roof; or

(3) Repairs to the foundation, structurally significant damaged wood or other materials; or

(4) Significant repairs to electrical, plumbing or heating and cooling systems.

(c)(1) The Department shall work with qualifying applicants to develop a scope of work, select a licensed and certified contractor, and manage the construction.

(2) Any payments to contractors shall be made by the Department on behalf of the eligible homeowner.

(d) The Mayor may issue rules to implement the provisions of this section in accordance with subchapter I of Chapter 5 of Title 2.

SUBTITLE D. REAL PROPERTY TAX PAYMENT PLANS.

Sec. 108. Title 47 is amended as follows:

(a) Chapter 8 is amended as follows:

(1) The table of contents is amended by adding a new section designation to read as follows:

“47-870. Real property tax payment plans.”.

(2) A new section 47-870 is added to read as follows:

“§ 47-870. Real property tax payment plans.

“(a) For purposes of this section, the term:

“(1) “Eligible homeowner” means an owner (or owners):

“(A) Who receives the homestead deduction pursuant to § 47-850; and

“(i) Can demonstrate hardship; or

“(ii) Is 65 years of age or older.

“(2) “Tax liabilities” means both property real property taxes which are delinquent and real property taxes which are currently due but not yet delinquent. Tax Liabilities do not include:

“(A) Amounts, which may have been previously sold at a tax sale;

“(B) Business improvement district (BID) taxes;

“(C) Tax Increment Financing (TIF) payments;

189 “(D) Payments In Lieu of Taxes (PILOTs);
190 “(E) Southeast Water and Sewer (SEWS) assessments;
191 “(F) Special Energy Assessment assessments; or
192 “(G) Amounts certified by external agencies pursuant to § 47-1340.
193 “(b) Real property tax payment plans with eligible homeowners are authorized for all
194 amounts due on real property tax liabilities subject to the following terms and conditions:
195 “(1) Eligibility for a real property tax payment plan shall require a showing of
196 financial hardship or inability to pay based on individual circumstances.
197 “(2) Real property tax payment plans shall be computed on a 12-month basis. Tax
198 Liabilities are to be paid in equal installments over that 12-month period;
199 “(A) No down payment shall be required;
200 “(B) Payments shall be made by direct ACH debit from the eligible
201 homeowner’s bank account to the District. If there are insufficient funds for the debit, the eligible
202 homeowner shall also be liable for a fee imposed by the District for the dishonored payment;
203 “(C) An eligible homeowner cannot have more than one payment plan
204 active at a time;
205 “(D) An eligible homeowner cannot apply for a payment plan for periods
206 covered under a payment plan that he or she previously defaulted on;
207 “(E) If there is a reclassification of a property, a homestead or
208 senior/disabled audit, or the granting of tax relief applications during the term of a payment plan,
209 the existing payment plan shall terminate, and the eligible homeowner can reapply for the same
210 periods; and

211 “(F) Property will not be sold at a tax sale during the time a payment plan
212 is active.

213 “(3) While enrolled in a payment plan, an eligible homeowner shall remain
214 current on real property taxes that come due.

215 “(4)(A) An eligible homeowner may be declared in material breach of a real
216 property payment plan if he or she fails to make the required payments; provided, that a material
217 breach may not be declared earlier than the sixty-fifth day from the agreed upon due date and the
218 forty-fifth day from the mailing of a notice of risk of material breach.

219 “(B) An eligible homeowner who has been declared in material breach of a
220 payment plan may have his or her payment plan reinstated if he or she pays a lump sum equal to
221 as much as twice the regular monthly payment due together with the missed payments as well as
222 any payments currently due.

223 “(5) An eligible homeowner may be declared in default if he or she has failed to
224 cure a material breach within 45 days of the date the eligible homeowner is declared in material
225 breach. If an eligible homeowner is declared in default of a payment plan, such plan shall be null
226 and void.

227 “(c) Requests for property tax payment plans entered into pursuant to this section shall
228 made online at MyTaxDC.gov. A payment plan agreement confirmation shall be provided to the
229 eligible homeowner and shall contain the following:

230 “(1) The monthly payment amount;

231 “(2) The past due date;

232 “(3) The length of the plan, including the number of payments;

233 “(4) The total amount agreed due under the plan;

234 “(5) A statement of the delinquent tax periods covered by the plan as well as an
235 itemized statement of the amounts due for each period specifying the amount due for principal,
236 interest, penalties, and any other charges or fees;

237 “(6) A statement that the eligible homeowner is required to remain current on real
238 property taxes during the length of the agreement, as well as an explanation of how current
239 payments should be tendered in order to avoid misapplication of payments to delinquent taxes.

240 “(7) A brief explanation of how payments will be applied to the delinquency;

241 “(8) A brief explanation of the consequences of breach and default on the payment
242 plan; and

243 “(9) A statement that payments are to be remitted to the District electronically by
244 direct debit, and that the payments will be withdrawn from the eligible homeowner’s account on
245 the monthly payment due date. If there are insufficient funds for the debit, the eligible
246 homeowner shall also be liable for a fee imposed by the District for the dishonored payment.

247 “(d)(1) If an eligible homeowner fails to make a required payment within 20 days of an
248 agreed-upon payment due date, a notice of risk of material breach shall be sent to the eligible
249 homeowner. The notice shall include a statement that the eligible homeowner is at risk of
250 material breach, the entire amount required to cure the missed payment(s) as well as any
251 payments currently due, and a brief description of the consequences of a material breach.

252 “(2) If an eligible homeowner is declared in material breach of a payment plan, a
253 notice of material breach shall be sent to the eligible homeowner that includes a clear statement
254 that he or she has been declared in material breach, the date on which the material breach was
255 declared, the entire amount required to cure the missed payments as well as any payments

currently due and lump sum payments that may be required, and a clear statement that failure to make the required payment will result in default.”.

(b) Section 47-1341 is amended as follows:

(1) Subsection (a)(2) is amended to read as follows:

“(2) The notice required pursuant to paragraph (1) of this subsection shall be in substantively the following form and may include a payment coupon or enclosed bill:

“THIS IS A NOTICE OF DELINQUENCY FAILURE TO PAY TAXES WILL HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE PROPERTY

“Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number, and by premises address, the real property to be sold]

“TO AVOID TAX SALE YOU MUST PAY \$ [Amount Subject to Sale] by May 31, 20__.

“The amount that you must pay to avoid the tax sale may be less than the total amount owed on the real property account. This amount may include fees or fines due to other DC agencies that have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C. Code § 47-1340.

“According to the Mayor’s tax roll, you own or may have an interest in the real property listed above. Notice is given that unless you pay the amount stated above or fall within one of the limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property at tax sale.

“If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose on the property. You must act now to avoid additional costs and significant expenses, as well as potential loss of title to the property.

278 “Payment to the “DC Treasurer” may be made online at MyTaxDC.gov or at a mailed (with
279 payment coupon from tax bill) to the Office of Tax and Revenue, DC Government Real Property
280 Taxes, P.O. Box 718095, Philadelphia, PA 19171-8095 (please write your square, suffix and lot
281 numbers on the check). You should keep a copy of your proof of payment in case there is a later
282 dispute about the payment.

283 “If payment is not made before May 31, 20__, the amount listed on this notice may no longer be
284 accurate. In that case, you must contact the Office of Tax and Revenue at _____ to obtain an
285 updated payoff amount.

286 “YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP
287 FORBEARANCE, A REAL PROPERTY TAX PAYMENT PLAN, OR FREE LEGAL
288 SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

289 “Should you have additional questions, please call the Customer Service Center for the Office of
290 Tax and Revenue at (202) 727-4TAX (4829).

291 “RESOURCES FOR REAL PROPERTY TAXPAYERS IN THE DISTRICT OF COLUMBIA

292 “Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for
293 assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or
294 related property tax matters, contact the Real Property Tax Ombudsman at _____.

295 “Classification Disputes. If your real property is classified as vacant or blighted and you believe
296 this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department
297 of Buildings at _____ for information on how to appeal the property classification.

298 “Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due
299 amount. For information on how to apply for this deferral, please contact the Office of Tax and
300 Revenue at _____.

301 “Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may
302 have additional rights to defer property taxes. If you think you may be eligible for this tax relief,
303 please contact the Office of Tax and Revenue at _____ for more information.

304 “Additional Legal Services. Free and reduced-cost legal services may be available to low- and
305 moderate-income households. You can get a list of service providers from the Real Property Tax
306 Ombudsman (above).

307 “Housing Counseling Services. The U.S. Department of Housing and Urban Development
308 (“HUD”) sponsors housing counseling agencies throughout the country that can provide advice
309 on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-
310 approved housing counseling agencies from the Real Property Tax Ombudsman (above).”.

311 (2) Subsection (b-1)(2) is amended to read as follows:

312 “(2) The notice required pursuant to paragraph (1) of this subsection shall be in
313 substantively the following form, and may include a payment coupon or enclosed bill:

314 “THIS IS A NOTICE OF DELINQUENCY. FAILURE TO PAY TAXES IMMEDIATELY MAY
315 HAVE SERIOUS CONSEQUENCES WHICH MAY INCLUDE LOSS OF TITLE TO THE
316 PROPERTY

317 “Subject Property: [Identify by taxation square, suffix, and lot number, or parcel and lot number,
318 and by premises address, the real property to be sold]

319 “TO AVOID TAX SALE YOU MUST PAY \$[Amount Subject to Sale] by [Last Business Day
320 before tax sale]

321 “The amount that you must pay to avoid the tax sale may be less than the total amount owed on
322 the real property account. This amount may include fees or fines due to other DC agencies that

323 have been certified to the Office of Tax and Revenue to be included in a tax sale pursuant to D.C.
324 Code § 47-1340.

325 “According to the Mayor’s tax roll, you own or may have an interest in the real property listed
326 above. Notice is given that unless you pay the amount stated above or fall within one of the
327 limited exemptions from the tax sale, the Office of Tax and Revenue may sell this real property
328 at tax sale.

329 “If the property is sold at tax sale, the purchaser may have the right to file a lawsuit to foreclose
330 on the property. You must act now to avoid additional costs and significant expenses, as well as
331 potential loss of title to the property.

332 “Payment to the “DC Treasurer” may be made online at MyTaxDC.gov or at a mailed (with
333 payment coupon from tax bill) to the Office of Tax and Revenue, DC Government Real Property
334 Taxes, P.O. Box 718095, Philadelphia, PA 19171-8095 (please write your square, suffix and lot
335 numbers on the check). You should keep a copy of your proof of payment in case there is a later
336 dispute about the payment.

337 “If payment is made less than 10 calendar days before [the last business day before tax sale], you
338 must provide a copy of the receipt directly to the Office of Tax and Revenue in order to ensure
339 that your property is removed from the tax sale.

340 “You may FAX the receipt to (202) 478-5995; EMAIL the receipt to [email address]; or HAND-
341 DELIVER a copy of the paid receipt to a Tax Sale Unit representative in the Customer Service
342 Center located at 1101 4th Street, SW, Suite 270W, Washington, DC 20024.

343 “Do not mail your paid receipt.

344 “YOU MAY BE ELIGIBLE FOR ASSISTANCE, INCLUDING A HARDSHIP
345 FORBEARANCE, A REAL PROPERTY TAX PAYMENT PLAN, OR FREE LEGAL
346 SERVICES. PLEASE SEE THE NEXT PAGE FOR ADDITIONAL INFORMATION.

347 “Should you have additional questions, please call the Customer Service Center for the Office of
348 Tax and Revenue at (202) 727-4TAX (4829).

349 “RESOURCES FOR REAL PROPERTY TAXPAYERS IN THE DISTRICT OF COLUMBIA

350 “Real Property Tax Ombudsman. Homeowners and other interested parties may be eligible for
351 assistance from the Real Property Tax Ombudsman. If you need assistance with a tax sale or
352 related property tax matters, contact the Real Property Tax Ombudsman at _____.

353 “Classification Disputes. If your real property is classified as vacant or blighted and you believe
354 this classification is incorrect, contact the Vacant Building Enforcement Unit of the Department
355 of Buildings at _____ for information on how to appeal the property classification.

356 “Hardship Forbearance. You may be eligible to defer, or postpone, payment of the past due
357 amount. For information on how to apply for this deferral, please contact the Office of Tax and
358 Revenue at _____.

359 “Senior Citizen and Low-Income Tax Relief. Senior citizens and low-income households may
360 have additional rights to defer property taxes. If you think you may be eligible for this tax relief,
361 please contact the Office of Tax and Revenue at _____ for more information.

362 “Additional Legal Services. Free and reduced-cost legal services may be available to low- and
363 moderate-income households. You can get a list of service providers from the Real Property Tax
364 Ombudsman (above).

365 “Housing Counseling Services. The U.S. Department of Housing and Urban Development
366 (“HUD”) sponsors housing counseling agencies throughout the country that can provide advice

on buying a home, renting, defaults, foreclosures, and credit issues. You can get a list of HUD-approved housing counseling agencies from the Real Property Tax Ombudsman (above).”.

TITLE II. SERVICE OF PROCESS REFORMS.

Sec. 201. Title 29 of the District of Columbia Official Code is amended as follows:

(a) Section 29-104.03 is amended as follows:

(1) Paragraph (1) is amended by striking the word “and” at the end.

(2) Paragraph (2) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(3) A new paragraph (3) is added to read as follows:

“(3) Electronic mailing address.”.

(b) Section 29-104.04 is amended as follows:

(1) Subsection (a)(2)(A) is amended by striking the word “address” and inserting the word “address(es)” in its place.

(2) Subsection (a)(2)(B) is amended by striking the phrase “address of the business office of that person.” and inserting the phrase “physical or electronic mailing address of the business office of that person, pursuant to § 29-104.03.” in its place.

(c) Section 29-104.05 is amended as follows:

(1) Subsection (a)(3) is amended by striking the word “address” and inserting the word “address(es)” in its place.

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

“(b) A commercial registered agent listing statement shall include the information regarding acceptance by the agent of service of process in a form other than a written record as provided for in § 29-104.12(e), including but not limited to, electronic mail.”

(d) Section 29-104.12(e) is amended to read as follows:

“(e) Service of process, notice, or demand on a registered agent and a commercial registered agent shall be in a written record. Service may be made on a commercial registered agent by electronic mail or other forms, and subject to such requirements, as the agent has stated in its listing under § 29-104.05 that it will accept; provided, that commercial registered agents may not require service by physical mail as a condition for accepting service by electronic mail.”.

Sec. 202. Sec. 47-1203 of the District of Columbia Official Code is amended as follows:

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

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

(A) Subparagraph (A) is amended to read as follows:

“(A) When mailed by first class mail to the owner’s mailing address as updated in the real property tax records of the Office of Tax and Revenue.”.

(B) Subparagraph (D) is amended by striking the period semicolon at the end and inserting the phrase “; or” in its place.

(C) Subparagraph (E) is struck.

(D) Subparagraph (F) is redesignated as subparagraph (E).

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

“(2) Any notice to a corporation shall, for the purposes of §§ 47-1201 to 47-1206, be deemed to have been served on such corporation if served on its agent registered pursuant to Subchapter IV of Chapter 1 of Title 29, or on the president, secretary, treasurer, general manager, or any principal officer of such corporation in a manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and notices to a foreign

corporation shall, for the purposes of §§ 47-1201 to 47-1206, be deemed to have been served if served personally on any agent of such corporation, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia.”.

(3) Paragraph (3) is struck.

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

“(b)(1) All special assessments authorized to be levied by the District of Columbia for public improvements, with the exception of assessments levied in condemnation proceedings, may be paid without interest within 30 days from the date of service of notice. Interest of 1.5% for each month or part thereof shall be charged on all unpaid amounts from the expiration of 30 days from the date of service. If any such assessment or any part thereof shall remain unpaid after the expiration of 1 year from date of service of notice, the property against which said assessment was levied may be sold for such assessment or unpaid portion thereof with interest and penalties thereon at the next ensuing annual tax sale conducted under Chapter 13A of this title, in the same manner and under the same conditions as property sold for delinquent general taxes, if said assessment with interest and penalties thereon shall not have been paid in full prior to said sale.”.

TITLE III. VACANT AND BLIGHTED PROPERTY REGISTRATION IMPROVEMENTS.

Sec. 301. An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01 *et seq.*), is amended as follows:

(a) The table of contents for Chapter 31A, Subchapter II is amended as follows:

(1) Strike the section designation “42–3131.05a. Notice by mail.” and insert the section designation “42–3131.05a. Notice.” in its place.

(2) A new section designation 42–3131.05b is added to read as follows:
“42–3131.05b. Determination of vacancy and blight.”.

(3) Strike the section designation “42–3131.06. Registration of vacant buildings.” and insert the section designation “42–3131.06. Registration of vacant buildings; renewal.” in its place.

(4) A new section designation 42–3131.06a is added to read as follows:
“42–3131.06a. Exemptions.”.

(5) Strike the section designation “42–3131.07. Registration and renewal procedure.” and insert the section designation “42–3131.07. Registration and renewal procedure. [Repealed].” in its place.

(6) Strike the section designation “42–3131.12. Vacant building maintenance standard.” and insert the section designation “42–3131.12. Vacant building maintenance standard and plan.” in its place.

(7) Strike the section designation “42.3131.16. Transmission of list by Mayor.” and insert the section designation “42.3131.16. Transmission of list by Mayor; reconciliation of information.” in its place.

(8) Strike the section designation “42–3131.17. Transmission of list of blighted vacant buildings by Mayor.” and insert the section designation “42–3131.17. Transmission of list of blighted vacant buildings by Mayor. [Repealed].” in its place.

(9) Strike the section designation “42–3131.18. Publication of list by the Department of Buildings.” and insert the section designation “42–3131.18. Publication of vacant and blighted vacant building information by the Department.” in its place.

(10) Strike the section designation “42–3131.19. Vacant and blighted vacant buildings belonging to foreign governments.” and insert the section designation “42–3131.19. Vacant and blighted vacant buildings belonging to foreign governments. [Repealed].” in its place.

(11) A new section designation 42–3131.20 is added to read as follows:
“42–3131.20. Vacant and blighted vacant building receivership.”

(12) A new section designation 42-3131.21 is added to read as follows:
“42.3131.21. Vacant and blighted building report and plan.”

(13) A new section designation 42–3131.22 is added to read as follows:
“42–3131.22. Rules.”

(b) Section 5 (D.C. Official Code § 42–3131.05) is amended to read as follows:

“(1) “Blighted vacant building” means any vacant building that is in such a condition as to pose a danger to the health, safety, and general welfare of the community.

“(2) “Commercial unit” means a building, or a part of a building, zoned for commercial purposes under the zoning regulations of the District of Columbia.

“(3) “Dwelling unit” means a room, or group of rooms forming a single unit, designed, or intended to be used, for living and sleeping, whether or not designed or intended for the preparation and eating of meals or to be under the exclusive control of the occupant. The term “dwelling unit” shall not include a room, or group of rooms forming a single unit, in a hotel or motel licensed in the District of Columbia, actively operating as a hotel or motel.

“ (4) “Fit for occupancy” means ready for immediate occupancy by a tenant without more than minor cosmetic changes.

“ (5) “Multifamily residential building” means a building containing two or more dwelling units.

“ (6) “Occupied” means:

“(A) For purposes of a dwelling unit, the use of one’s residence in improved real property on a regular basis; or

“(B) For purposes of a commercial unit, use consistent with zoning regulations, for which there is a current valid certificate of occupancy, and (i) paid utility receipts for the specified period, executed lease agreements, or sales tax return, or (ii) other evidence of use of the building that the Mayor may require by rule.

“ (7) “Owner” means one or more persons or entities with an interest in real property in the District of Columbia that appears in the real property tax records of the Office of Tax and Revenue, and a tax sale purchaser under § 47-1353(b) or the purchaser’s assignee, as applicable, except where the owner of record is challenging or appealing the vacant status of the real property for the same period.

“ (8) “Owner of record” means the person or persons named in the public record as the title holder of the property.

“ (9) “Real property” shall have the same meaning as § 47-802(1).

“ (10) “Related owners” or “related ownership” exists when a deduction for a loss from the sale or exchange of properties between taxpayers would be disallowed under section 267 of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 78; 26 U.S.C. § 267);

provided, that the exclusion under section 267(a)(1) for a loss in a distribution in a complete liquidation shall not apply.

“(11) “Relative” means a spouse, domestic partner, sibling, parent, grandparent, child, grandchild, or the sibling's child, spouse, or domestic partner.

“(12) “Vacant building” means any real property improved by a building that is not lawfully occupied on a regular and habitual basis by the owner, a tenant, or other person having the permission of the owner; provided, that in the case of residential buildings, the Mayor determines that there is no resident for which an intent to return and lawfully occupy the building can be shown.”.

(b) Section 5a (D.C. Official Code § 42–3131.5a) is amended to read as follows:

“Sec. 5a. Notice.

“(a) Notice shall be deemed to be served properly on the date when mailed by first class mail to the owner of record of the vacant building at the owner’s mailing address as updated in the real property tax records of the Office of Tax and Revenue.

“(b)(1) In addition to the notice requirement of subsection (a) of this section, the Mayor shall cause notice to be posted on the premises; provided, that the official notice shall be mailed pursuant to subsection (a) of this section.

“(2) Unless the vacant property is eligible for an exemption pursuant to § 42–3131.06a of this chapter, the notice shall not be posted by difficult-to-remove adhesive.

“(c) A courtesy copy of the notice provided pursuant to subsection (a) of this section shall be mailed or electronically mailed to the Advisory Neighborhood Commission in which the vacant building is located. The courtesy copy required by this subsection shall not be construed

to satisfy, nor be construed as necessary to satisfy, the notice requirement of subsection (a) of this section.”.

(c) A new Section 5b (D.C. Official Code § 42–3131.05b) is added to read as follows:

“Sec. 5b. Determination of vacancy and blight.

“(a) When making a determination that a building is vacant, the Mayor shall consider the following:

“(1) Neighbor complaints;

“(2) Advisory Neighborhood Commission certification;

“(3) Accumulated mail, fliers, or newspapers;

“(4) Past due utility notices, disconnected utilities, or utilities not in use;

“(5) Presence of overgrown vegetation, dead or diseased trees, or noxious weeds;

“(6) Absence of furnishings or personal items consistent with habitation;

“(7) The building is open to casual entry or trespass; and

“(8) Any other criteria the Mayor deems relevant.

“(b) When making a determination that a vacant building is a blighted vacant building, the Mayor shall consider the following:

“(1) The incidence of illegal activity, as documented by police reports;

“(2) Whether the vacant building is the subject of a condemnation proceeding before the Board of Condemnation and Insanitary Buildings;

“(3) Referrals to the Department of Buildings from other District agencies;

“(4) One or more windows, doors, or other means of entry are missing or boarded up;

546 “(5) Collapsing, missing or deteriorating walls, roof, stairs, porches, balconies,
547 chimneys, and other building elements;

548 “(6) Siding or exterior walls that are seriously damaged, missing, or deteriorating;

549 “(7) Trash and debris are improperly stored or accumulated on the premises;

550 “(8) The building shows visible signs of vandalism such as graffiti;

551 “(9) The presence of mold, algae, abandoned or wild animals, or insect or pest
552 infestation;

553 “(10) Any other criteria the Mayor deems relevant.

554 “(c) For purposes of this section, the term “Advisory Neighborhood Commission
555 certification” means a resolution approved by a majority vote of an Advisory Neighborhood
556 Commission in which the building is located requesting that the Mayor classify a building as
557 vacant or blighted vacant.”.

558 (d) Section 6 (D.C. Official Code § 42–3131.06) is amended to read as follows:

559 “Sec. 6. Registration of vacant buildings; renewal.

560 “(a) Except as provided in § 42–3131.06a of this chapter, the owner of a vacant building
561 shall, within 180 days after it becomes vacant, register the building and pay the registration fee.
562 The Mayor may extend the time for good cause.

563 “(b)(1) Each application for the registration of a vacant building shall be in a form
564 prescribed by the Mayor and shall contain the following information:

565 “(A) The street address of the vacant building;

566 “(B) The date on which the building became vacant;

567 “(C) The name, street address, telephone number, and electronic mail
568 address of the owner of record; except as provided in subsection (f) of this section;

569 “(D) The name, address, telephone number, and electronic mail address of
570 a person based in the District who is responsible for the security and maintenance of the
571 property, if other than the owner of record;

572 “(E) A signed vacant building maintenance plan required pursuant to § 42–
573 3131.12 of this chapter.

574 “(2) If at any time the information provided pursuant to paragraph (1) of this
575 subsection is no longer valid, the owner shall file a new registration within ten days containing
576 current information. There shall be no additional fee to provide current information pursuant to
577 this paragraph.

578 “(c) At the time of application for the initial registration or renewal of registration of a
579 vacant building, the owner shall arrange with the Mayor for the inspection of the building. On
580 receiving an application for the initial registration or renewal of registration of a vacant building,
581 the Mayor shall thereafter inspect the building. The Mayor shall approve the initial registration or
582 the renewal of registration for one year if:

583 “(1) The application for registration contains all of the information required
584 pursuant to subsection (a) of this section.

585 “(2) The building has been maintained in accordance with the requirements of §
586 42–3131.12; and

587 “(3) The vacancy of the building will not:

588 “(A) Be detrimental to the public health, safety, and welfare;

589 “(B) Unreasonably interfere with the reasonable and lawful use and
590 enjoyment of the other premises within the neighborhood; and

591 “(C) Pose a hazard to police officers or firefighters entering the building in
592 an emergency.

593 “(4) The building complies with the fire, building, and housing codes of the
594 District of Columbia;

595 “(5) The continuance of any maintenance work or condition of occupancy is not
596 dangerous to life or property;

597 “(6) No false statements or misrepresentations have been made upon the
598 registration application;

599 “(7) Orders on a building have been complied with and the building complies
600 with any applicable occupancy requirements;

601 “(8) An adequate water supply or facilities for firefighting purposes is furnished
602 as required in the fire code; and

603 “(9) The Mayor is permitted to inspect the building before initial registration,
604 during the registration period, and before a renewal of registration.

605 “(d) If the owner of a vacant building fails to comply with the provisions of subsection
606 (c) of this section, both initially and throughout the registration period, the Mayor may deny or
607 revoke the owner’s registration and may subject the owner to the penalties provided in § 42–
608 3131.10.

609 “(e)(1) After the initial designation of a property as vacant or blighted, the Mayor shall
610 not be required to perform additional inspections or surveys to sustain that classification.

611 “(2) After the Mayor has made a final determination that a building is a vacant
612 building or a blighted vacant building, that final determination shall remain in effect until the
613 owner submits information to the Mayor sufficient to warrant a change to that classification.

““(f)(1)(A) Except as provided in subparagraph (B) of this paragraph, no person except the owner of record or an authorized agent of the owner of record, with proof of authorization from the owner of record, may register a building as vacant.

“(B) The Mayor, upon a showing that the owner of record is physically unable to register the property, may allow a relative of the owner of record to register the building as vacant; provided, that the relative can show proof of being a relative and, to the satisfaction of the Mayor, that the owner of record is physically unable to register the property.

“(2) This subsection shall not in any way limit the Mayor's authority to register as vacant or blighted any property whose owner fails to register it as required by this chapter.”.

(e) A new section 6a (D.C. Official Code § 42–3131.06a) is added to read as follows:

“Sec. 6a. Exemptions.

“(a) A vacant or blighted vacant building shall not be subject to the registration requirements of § 42–3131.06 if it is:

“(1) Owned by the government of the United States or its instrumentalities; or

“(2) Authorized as exempt from real estate taxes by the United States Department of State's Office of Foreign Missions on the basis of its use for diplomatic or consular purposes or for the official business of an international organization.

“(b) A vacant building shall not be subject to the increased real property tax rates for vacant buildings in § 47-812(b-10) if it is:

“(1) Exempted by the Mayor in extraordinary circumstances and upon a showing of substantial economic or personal hardship as determined in subsection (c) of this section;

“(2) In compliance with the requirements of § 42–3131.12 and applicable property maintenance code standards for the District of Columbia and the owner or his or her

agent has been actively seeking in good faith to rent or sell the building; provided, that an exemption under § 42-3131.06a(b)(2) shall only be available for a period not to exceed:

“(A) Half a tax year from the initial listing, offer, or advertisement of sale in the case of single-family residential buildings;

“(B) Two tax years from the initial listing, offer, or advertisement of sale for multifamily residential buildings; or

“(C) Two tax years from the initial listing, offer, or advertisement of rent or sale for commercial buildings;

“(3) For a period not to exceed 3 tax years, the subject of a probate proceeding or the title is the subject of litigation (not including a foreclosure of the right of redemption action brought under Chapter 13A of Title 47 [§ 47-1330 *et seq.*]). The tax year in which the exemption under § 42-3131.06a(b)(3) starts is determined by the filing date of the applicable probate proceeding and/or litigation;

“(4) For a period not to exceed 2 tax years, the subject of a pending application for a necessary approval for development before the Board of Zoning Adjustment, the Zoning Commission for the District of Columbia, the Commission on Fine Arts, the Historic Preservation Review Board, the Mayor’s Agent for Historic Preservation, the Department of Public Works, or the National Capital Planning Commission; or

“(5) For a period not to exceed half a tax year, the owner of the property or his or her agent has an active building permit application that is being reviewed and processed by the District, and the owner is actively seeking in good faith to obtain a building permit for the purposes of making the building fit for occupancy; or

659 “(6) For a period not to exceed 3 tax years, under active construction or
660 undergoing active rehabilitation, renovation, or repair, and there is a valid active building permit
661 to make the building fit for occupancy. During the half tax year in which the exemption is
662 requested, the building must be under active construction or undergoing active rehabilitation,
663 renovation, or repair under a valid active building permit. The term “active construction” means
664 the conducting of activities that contribute directly to the completion of improvements
665 contemplated or shown on active permits.

666 “(c)(1) To qualify for an exemption for substantial economic or personal hardship
667 pursuant to subsection (b)(1) of this section, an owner must demonstrate:

668 “(A) He or she was a debtor in an individual bankruptcy action within the
669 last 12 months;

670 “(B) He or she experienced a significant medical event that prevented him
671 or her from engaging in normal work or business activities for at least a period of 30 days;

672 “(C) He or she was involuntarily terminated from employment and was
673 unemployed for at least 60 days within the last 12 months;

674 “(D) He or she is:

675 “(i) 60 years of age or older and is receiving social security
676 disability insurance;

677 “(ii) 65 years of age or older and has a household income that does
678 not exceed 120% of the median family income and has experienced medical, personal, or
679 financial hardship in the past 180 days;

680 “(E) He or she was impacted by a fire at the property that was not the
681 result of criminal activity or negligence as identified by a Fire and Emergency Medical Services
682 investigation; or

683 “(F) He or she was impacted by a natural disaster at the property.

684 “(2) The exemption may be granted for a period not to exceed one tax year from
685 the required registration date, subject to renewal on the basis of continuing extraordinary
686 circumstances and substantial undue economic hardship. The Mayor may withdraw the
687 exemption at any time.

688 “(d)(1) The cumulative time period for exemption from registration and fee requirements
689 for a vacant building under the same, substantially similar, or related ownership shall not exceed
690 3 tax years.

691 “(2) The limitations set forth in paragraph (1) of this subsection shall not apply to
692 vacant buildings that benefit from an exemption under subsection (a) of this section.

693 “(e) The total cumulative time for exemptions granted under subsection (b) of this section
694 to any property shall not exceed 5 tax years in any 12-year period, excluding exemptions granted
695 under subsection (a) of this section.”.

696 (f) Sec. 7 (D.C. Official Code § 42–3131.07) is repealed.

697 (g) Sec. 9 (D.C. Official Code § 42–3131.09) is amended to read as follows:

698 “(a) Except as provided in § 42–3131.06a(a), the owner of a building shall register the
699 building and pay registration fees within 180 days after it becomes a vacant or blighted vacant
700 building.

701 “(b) Fees for registration and renewal shall be as follows:

702 “(1) The initial registration fee shall be \$350.

703 “(2) The renewal registration fee shall be \$500.

704 “(c) The Mayor may increase the fees in subsection (b) of this section through rules
705 issued pursuant to § 42–3131.21.”.

706 (h) Section 10 (D.C. Official Code § 42–3131.10) is amended to read as follows:

707 “(a)(1) The failure of the owner of a vacant or blighted vacant building to register and
708 pay all required fees under § 42-3131.06(a) or § 42-3131.09 after notice of the designation of the
709 owner’s building as vacant or blighted vacant, the determination of delinquency of registration or
710 fee payment, the denial or revocation of registration, the filing by an owner of any false or
711 misleading registration-related information, or the refusal of the owner of a vacant or blighted
712 vacant building to permit the Mayor to inspect the building shall be subject to a civil penalty of
713 up to \$1,000 for the first violation, \$2,500 for the second violation, and \$5,000 for the third and
714 subsequent violations.

715 “(2) The Director of the Department of Buildings shall provide the Office of the
716 Attorney General with a list of all owners who fail to register and pay the required fee after
717 notice.

718 “(b) If the owner of a vacant building fails to maintain the building in compliance with
719 the requirements of § 42–3131.12 or, having obtained a vacant property registration,
720 subsequently fails to comply with the other registration requirements under § 42–3131.06, the
721 Mayor, in addition to issuing civil penalties pursuant to subsection (a) of this section, may:

722 “(1) Charge the owner with failure to comply and enforce all applicable penalties
723 under this chapter; and

724 “(2) Take other action as required by the Construction Codes or Construction
725 Codes Supplement of the District of Columbia to bring the building into compliance with those
726 codes.

727 “(c) Criminal prosecutions under § 42-3131.05 through § 42-3131.15 shall be brought in
728 the name of the District of Columbia by the Attorney General for the District of Columbia.”.

729 (i) Section 11(b) (D.C. Official Code § 42–3131.11(b) is amended by striking the phrase
730 “Department of Consumer and Regulatory Affairs” and inserting the phrase “Department of
731 Buildings” in its place.

732 (j) Section 12 (D.C. Official Code § 42–3131.12) is amended to read as follows:

733 “Sec. 12. Vacant building maintenance standard and plan.

734 “(a) The owner of a vacant building shall comply with the following maintenance
735 requirements:

736 “(1) The exterior of the building shall be maintained free of graffiti, tagging, or
737 similar markings;

738 “(2) Exterior walls shall be free of holes, breaks, and loose or rotting materials;

739 “(3) The interior of the building, and the property on which the building is
740 located, shall be free from debris, rubbish, and garbage;

741 “(4) Exposed metal and wood surfaces on the exterior of the building and any
742 accessory or appurtenant structures shall be protected from the elements and against decay or
743 rust;

744 “(5) The cornices, belt courses, corbels, terra cotta trim, wall facings, and similar
745 decorative features shall be safe, anchored, and in good repair;

746 “(6) All balconies, canopies, marquees, signs, metal awnings, stairways, fire
747 escapes, standpipes, exhaust ducts, and similar features shall be in good repair, anchored, safe
748 and sound;

749 “(7) Doors, windows, areaways, and other openings shall be weather-tight and
750 secured against entry by birds, vermin, and trespassers, and missing or broken doors, windows,
751 and other openings shall be covered with 1/2 inch CDX plywood that is painted in accordance
752 with the predominant tone of the building and is weather protected, tightly fitted to the opening,
753 and secured by screws or bolts;

754 “(8) The roof and flashing shall be sound and tight, not admit moisture, and
755 drained to prevent dampness or deterioration in the walls or interior;

756 “(9) The building storm drainage system shall be adequately sized and installed in
757 an approved manner and functional;

758 “(10) The structural members shall be free of deterioration and capable of safely
759 bearing imposed dead and live loads;

760 “(11) The foundation walls shall be plumb, free from open cracks and breaks, and
761 vermin-proof;

762 “(12) Chimneys, cooling towers, smokestacks, and similar appurtenances shall be
763 structurally safe, sound, and in good repair;

764 “(13) Openings in sidewalks shall be safe for pedestrian travel;

765 “(14) The property on which the building is located shall be free from excessive
766 vegetation and debris; and

767 “(15) The property on which the building is located, as well as any accessory or
768 appurtenant structures, shall be free from safety, health, or fire hazards.

769 “(b) The owner of a vacant property or his or her agent shall submit a vacant property
770 maintenance plan with the registration form required pursuant to § 42–3131.06. The plan shall
771 include the following:

772 “(1) The name, address, and contact information (telephone number and
773 electronic mail address where applicable) of the person submitting the plan;

774 “(2) Contact information for the person designated to manage and maintain the
775 property;

776 “(3) A copy of a letter or notice to properties immediately adjacent to the vacant
777 building advising residents of the name and contact information of the person designated to
778 manage and maintain the property;

779 “(4) A plan for actively monitoring, maintaining, and securing the property for the
780 anticipated or expected period of vacancy that demonstrates how the property will be maintained
781 in accordance with subsection (a) of this section;

782 “(5) Any other information deemed necessary by the Mayor for purposes of
783 effectuating this section.”.

784 (k) Section 15 (D.C. Official Code § 42-3131.15) is amended to read as follows:

785 “(a) Within 15 days after the designation of an owner’s building as a vacant building, the
786 determination of delinquency of registration or fee payment, the denial or revocation of
787 registration, or the designation of a vacant building as a blighted vacant building, the owner may
788 petition the Mayor for reconsideration by filing the form prescribed by the Mayor.

789 “(b) Within 60 days after receiving a petition pursuant to subsection (a) of this section,
790 the Mayor shall issue a notice of final determination to the owner of the vacant building. The

petition shall be deemed denied, and it shall have the same effect of the issuance of a notice of final determination, if the Mayor does not act upon the petition within 60 days.

“(c) Within 15 days after the date of the notice of final determination under subsection (b) of this section, or within 15 days after the expiration of the time period under subsection (b) of this section, an owner may file an appeal with the Real Property Tax Appeals Commission for the District of Columbia on the form prescribed by the Mayor; provided, that the notice of final determination or passive appeal under subsection (b) of this section shall be a prerequisite to filing an appeal with the Real Property Tax Appeals Commission for the District of Columbia. The Real Property Tax Appeals Commission may not extend the time to file an appeal.

“(d) After receiving a notice of appeal from an owner as required under subsection (c) of this section, the Real Property Tax Appeals Commission for the District of Columbia shall provide by mail or electronic mail to the Advisory Neighborhood Commission in which the vacant building is located, at least 15 days before any scheduled hearing on the appeal, the following information related to the building at issue:

“(1) The name of the owner of the building, and the address of the building, including square, suffix and lot numbers;

“(2) The determination under review; and

“(3) The date, time, and location of the hearing.

“(e) The District, through the Office of the Attorney General, may appeal a decision of the Real Property Tax Appeals Commission to the Superior Court of the District of Columbia within 90 days after the receipt of a written decision.”.

(l) Section 16 (D.C. Official Code § 42-3131.16) is amended to read as follows:

813 “(a) No less than once a week, the Mayor shall transmit to the Office of Tax and Revenue
814 a list of buildings:

815 “(1) Registered as vacant or blighted vacant;

816 “(2) Designated as vacant or blighted vacant; and

817 “(3) For which the time period to issue a notice of final determination under § 42-
818 3131.15(b) has expired or a notice of final determination has been issued under § 42-3131.15 and
819 administrative appeals have been exhausted or expired.

820 “(b) The list shall be in the form and medium prescribed by the Office of Tax and
821 Revenue.

822 “(c) Buildings shall remain on the list required by this section until a change in
823 classification is approved.

824 “(d) The Mayor and the Office of Tax and Revenue shall develop a procedure to reconcile
825 any material differences between information retained by the Department of Buildings regarding
826 buildings registered as vacant or designated as blighted vacant, and buildings taxed as Class 3 or
827 4, on at least a monthly basis.”.

828 (m) Section 17 (D.C. Official Code § 42-3131.17) is repealed.

829 (n) Section 18 (D.C. Official Code § 42-3131.18) is amended to read as follows:

830 “Sec. 18. Publication of vacant and blighted vacant building information by the
831 Department.

832 “(a) The Department of Buildings shall maintain, on a publicly available website, a
833 database or list of vacant and blighted buildings. The database or list shall, at a minimum,
834 contain the following information:

835 “(1) The address of the building, including the square, suffix, and lot number of
836 the property on which the building is located;

837 “(2) The Advisory Neighborhood Commission and Ward in which the building is
838 located;

839 “(3) The date on which the building was determined to be a vacant or blighted
840 vacant building or registered as a vacant or blighted vacant building pursuant to § 42-3131.06;

841 “(4) The type of exemption the building has received, the date on which the
842 building received an exemption, and the number of half tax years the building has been exempt,
843 if applicable;

844 “(5) The number of months the building has been registered vacant or designated
845 as blighted vacant;

846 “(6) The last date on which the property was inspected by the Department; and
847 “(7) The current tax classification of the property.”.

848 (o) Sec. 19 (D.C. Official Code § 42-3131.19) is repealed.

849 (p) A new section 20 (D.C. Official Code § 42-3131.20) is added to read as follows:

850 “Sec. 20. Vacant and blighted vacant building receivership.

851 “(a) The Mayor may petition the Superior Court of the District of Columbia for the
852 appointment of a receiver to rehabilitate, demolish, or sell a vacant or blighted vacant building,
853 upon the occurrence of any of the following, each of which is deemed a nuisance per se:

854 “(1) The vacant building has been registered as vacant for at least 12 months,
855 excluding any exemptions provided pursuant to § 42-3131.6a, and at least one notice of
856 infraction for which a final order has been issued by the Office of Administrative Hearings has
857 not been abated by the owner 30 days after the issuance of the final order;

858 “(2) The vacant building has been registered as vacant for at least 36 months,
859 excluding any exemptions provided pursuant to § 42–3131.6a;

860 “(3) The blighted vacant building has been designated as blighted vacant for at
861 least 12 months, excluding any exemptions provided pursuant to § 42–3131.6a; or

862 “(4) The vacant or blighted vacant building is subject to a condemnation order by
863 the Board for the Condemnation of Insanitary Buildings pursuant to § 6-903.

864 “(b) The Mayor shall give notice to the owner of the building no less than 90 days prior
865 to the filing of a petition.

866 “(c) The petition for appointment of a receiver shall include:

867 “(1) A copy of the registration form or designation form;

868 “(2) A copy of the final order from the Office of Administrative Hearings, if
869 applicable; and

870 “(3) A verified pleading that identifies and states the qualifications of the
871 proposed receiver.

872 “(c) The petition for the appointment of a receiver shall name as respondents:

873 “(1) The owner of the property;

874 “(2) Any lien holder of record; and

875 “(3)(A) The plaintiff in a proceeding to foreclose the right of redemption.

876 “(B) Failure to name the plaintiff shall not prevent the action from going
877 forward but shall prevent the receiver’s lien for expenses incurred from rehabilitating,
878 demolishing, or selling the building from having priority over the plaintiff’s lien interest.

879 “(d)(1) After filing a petition and before a receiver is appointed, the Mayor shall
880 give notice of pendency and nature of the proceedings by certified mail to the last known

addresses of all judgment creditors and lien holders with a recorded interest in the property. This notice is not required for respondents named under subsection (c) of this section.

“(2) Within 30 days after the date on which the notice was mailed, a judgment creditor or lien holder with a recorded interest in the property may apply to intervene in the proceeding and to be appointed a receiver. A creditor or lien holder whose interest is not recorded does not have standing to intervene in the proceeding and is not eligible to be appointed a receiver.

“(3) Failure to give notice to any judgment creditors or lien holders as required by this subsection shall not prevent the action from going forward but shall prevent the receiver’s lien for expenses incurred from rehabilitating, demolishing, or selling the building from having priority over that person’s lien interest.

“(e)(1) Instead of appointing a receiver to rehabilitate, demolish, or sell the building, the Court may permit an owner, mortgagee, or other person with an interest in the property to rehabilitate or demolish it, if the person:

“(A) Demonstrates the ability to complete the rehabilitation or demolition within a reasonable time;

“(B) Agrees to comply with a specified schedule for rehabilitation or demolition of the building; and

“(C) Posts bond, in an amount determined by the court, as security for the performance of the required work in compliance with a specified schedule.

“(2)(A) The Mayor may apply to the court for immediate revocation of a person’s appointment pursuant to this subsection if the person appointed is not proceeding with due diligence or in compliance with the specified schedule.

904 “(B) In the event that the court revokes the person’s appointment and
905 appoints a receiver, the bond posted under subparagraph (C) of paragraph (1) of this subsection
906 shall be applied to the subsequently appointed receiver’s expenses for rehabilitating,
907 demolishing, or selling the building.

908 “(f)(1) If no qualified person with an ownership interest requests an appointment to
909 rehabilitate or demolish the property, or if an appointee is dismissed, the court shall appoint a
910 receiver of the property for the purposes of rehabilitating and managing the property,
911 demolishing the property, or selling it to a qualified bidder.

912 “(2) On the appointment of a receiver to rehabilitate, demolish, or sell the
913 property, all parties are divested from any authority to act in furtherance of those goals.

914 “(3) A receiver appointed to rehabilitate, demolish, or sell a vacant building has
915 no duty to, and is not personally liable for failing to, maintain the property or protect the property
916 from casualty or loss.

917 “(g) A receiver appointed to rehabilitate or demolish a vacant building, in addition to all
918 necessary and customary powers, has the right of possession with authority to:

919 “(1) Contract for necessary labor and supplies for rehabilitation or demolition.

920 “(2) Borrow money for rehabilitation or demolition from an approved lending
921 institution or through a government agency or program, using the receiver’s lien against the
922 property as security;

923 “(3) Manage the property for a period of up to 2 years and apply the rent received
924 to current operating expenses and to repayment of outstanding rehabilitation expenses; and

925 “(4) Foreclose on the receiver’s lien or accept a deed in lieu of foreclosure.

926 “(h)(1) A receiver appointed to sell a vacant building, in addition to all necessary and
927 customary powers, may sell the property to the high bidder at public auction.

928 “(2) The receiver must post a notice of a public auction 60 days prior to the date
929 on which the auction will be held. The notice must contain:

930 “(A) The address of each building for sale at the public auction;

931 “(B) A description of each building for sale at the public auction, including
932 the size and type of the building; and

933 “(C) Any other information deemed necessary by the receiver.

934 “(3) The minimum bid required to purchase a building at a public auction shall be
935 \$5,000.

936 “(4) Before any sale, applicants to bid in a public auction or the proposed buyer in
937 a private sale must demonstrate that:

938 “(A) The applicants or proposed buyer have financial resources available
939 to rehabilitate the property;

940 “(B) The applicants or proposed buyer have experience rehabilitating
941 properties or have a contract or agreement with a person or organization that has experience
942 rehabilitating properties; and

943 “(C) The applicants or proposed buyers do not have any outstanding
944 property maintenance violations in the District, if applicable.

945 “(5) The receiver may charge a reasonable fee to applicants in connection with an
946 application to bid at a public auction or in connection with the solicitation of offers for a private
947 sale.

948 “(6) After deducting the expenses of the sale, the amount of outstanding taxes and
949 other government assessments, and the amount of the receiver’s lien, the receiver must apply the
950 remaining proceeds of the sale, first to the petitioner’s costs and expenses, and then to the liens
951 against the property in order of priority.

952 “(i)(1) Any costs or fees incurred by the receiver for purposes of rehabilitating,
953 demolishing, or selling a building pursuant to this subsection shall be a lien against the property.
954 The receiver’s lien shall have priority over all other liens and encumbrances, except taxes or
955 other government assessments. The receiver must allow the Mayor’s costs and expenses,
956 including reasonable attorney’s fees, to be paid to the extent that proceeds of a sale permit.

957 “(2) A receiver may foreclose on the lien by a sale of the building at a public
958 auction. After deducting the expenses of the sale, the receiver must apply the proceeds of the sale
959 to the liens against the building, in order of priority. In lieu of foreclosure, and only if the
960 receiver has rehabilitated the building, an owner may pay the receiver’s costs, fees, including
961 attorney’s fees, and expenses or may transfer all ownership in the property to either the receiver
962 or an agreed-on third party for an amount agreed to by all parties to the receivership as being the
963 property’s fair market value.

964 “(j) Following court ratification of a sale made pursuant to subsection (h) of this section,
965 the receiver must sign a deed conveying title to the buyer, free and clear of all liens, judgments
966 and other encumbrances. On court ratification of the sale, any secured interest of a lien or
967 judgment creditor automatically attaches to the proceeds from the sale to the extent that those
968 proceeds are available.

969 “(k) Upon sale of the property, the receiver must:

970 “(1) File with the court a final accounting; and

971 “(2) At the same time, file a motion with the court to dismiss the action.

972 “(l) The Mayor may contract with a nonprofit or for-profit organization to act as a
973 receiver pursuant to this section; provided, that any organization acting as a receiver must:

974 “(1) Not be delinquent on any fees, fines, taxes, or financial penalties owed to the
975 District; and

976 “(2) Have demonstrated experience with the management or sale of residential or
977 commercial properties; or

978 “(3) If the receiver will rehabilitate or demolish properties, have demonstrated
979 experience in the rehabilitation or demolition of residential or commercial properties.”.

980 (q) A new section 21 (D.C. Official Code § 42-3131.21) is added to read as follows:

981 “Sec. 21. Vacant and Blighted Building Report and Plan.

982 “(a) By January 1, 2026, the Mayor shall submit a report to the Council containing the
983 following information:

984 “(1) A description of predictive statistical models that could be used to identify
985 properties at risk of becoming vacant or blighted, as well as the data sources and information
986 technology infrastructure necessary to effectively implement these models;

987 “(2) A detailed description of proactive measures utilized by other jurisdictions in
988 the United States to enforce vacant and blighted property registration ordinances; and

989 “(3) An analysis and determination of the feasibility of utilizing proactive
990 measures to enforce the District’s laws regarding registration and maintenance of vacant and
991 blighted buildings.

“ (b) By January 1, 2027, and every three years thereafter, the Mayor shall submit a vacant and blighted property rehabilitation strategic plan to the Council. In developing the strategic plan, the Mayor shall:

“(1) Analyze the extent and nature of interagency collaboration among District agencies with respect to:

“(A) Enforcing legal requirements related to vacant and blighted buildings in the District; and

“(B) Incentivizing the successful redevelopment or rehabilitation of vacant and blighted buildings;

“(2) Review the use and effectiveness of existing incentives in the District that support the redevelopment or rehabilitation of vacant and blighted buildings;

“(3) Review best practices for preventing vacancy and blight, and best practices for redeveloping or rehabilitating vacant and blighted buildings;

“(4) Develop and refine performance metrics that measure the effectiveness of the District’s programs, interventions, and incentives regarding vacant and blighted properties; and

“(5) Consult with stakeholders, including the following:

“(A) Advisory Neighborhood Commissions;

“(B) Organizations with significant experience redeveloping or rehabilitating vacant or blighted buildings; and

“(C) Organizations or individuals with policy or research expertise on:

“(i) Implementing strategic code enforcement programs;

“(ii) Development incentives; and

“(iii) Developing performance measures.”.

1015 (r) A new section 22 (D.C. Official Code § 42-3131.22) is added to read as follows:

1016 “Sec. 22. Rules.

1017 “The Mayor, pursuant to subchapter I of Chapter 5 of Title 2, may issue rules to
1018 implement the provisions of this chapter. The proposed rules shall be submitted to the Council
1019 for a 45-day period of review, excluding days of Council recess. If the Council does not approve
1020 or disapprove of the proposed rules, by resolution, within the 45-day review period, the proposed
1021 rules shall be deemed approved.”.

1022 Sec. 302. Section 47-825.01a(e)(1)(B) of the District of Columbia Official Code is
1023 amended to read as follows:

1024 “(B)(i) If an owner is aggrieved by a notice of final determination issued
1025 pursuant to §42-3131.15 or the time period to issue a notice of final determination under that
1026 section has expired, the owner may file an appeal on the determination of vacancy with the
1027 Commission within 15 days after the date of the notice or expiration. The Commission may not
1028 extend the time to file an appeal. Notwithstanding any other provision of this section, the
1029 Commission shall render a decision on the appeal within 120 days after the filing.

1030 “(ii) An appeal to the Commission under this subparagraph shall be
1031 on the same terms and under the same conditions, to the extent reasonable, as if the appeal were
1032 brought under subparagraph (A) of this paragraph; except, that no worksheet shall be required to
1033 be mailed, the Department of Buildings shall be the responsible agency, and any supplemental
1034 filing shall be provided to the Commission and the Department of Buildings.

1035 “(iii) A response from the Department of Buildings shall be
1036 available for inspection at least 7 days before the scheduled hearing.

1037 “(iv) The Department of Buildings shall have the authority, as
1038 provided to OTR under subsection (f) of this section, to make redeterminations of vacancy and
1039 blight and any reclassifications that may be necessary.

1040 “(v) The Department of Buildings shall be entitled to a rehearing to
1041 establish the proper status, vacant or blight, and tax classification of the real property under the
1042 same conditions and to the same extent under paragraph (6) of this subsection; provided, that
1043 paragraph (6)(D) of this subsection shall not apply.”.

1044 **TITLE IV. VACANT AND BLIGHTED PROPERTY INCENTIVES AND TAXES.**

1045 **SUBTITLE A. EXPEDITED PERMIT REVIEW FOR VACANT AND BLIGHTED**
1046 **PROPERTIES.**

1047 Sec. 401. (a) The Construction Codes Approval and Amendments Act of 1986, effective
1048 March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*), is amended by adding a
1049 new section 10e to read as follows:

1050 “Sec. 10e. Expedited permit review for vacant and blighted vacant properties.

1051 “(a) No later than 180 days after the effective date of the Vacant to Vibrant Amendment
1052 Act of 2024, the Department shall establish an expedited permit review process for permits
1053 described in subsection (b) of this section; provided, that the expedited permit review process
1054 shall only apply to permits for Class 3 and Class 4 properties.

1055 “(b) The following permits shall be eligible for an expedited permit review process
1056 established pursuant to subsection (a) of this section:

1057 “(1) A demolition permit;

1058 “(2) A raze permit;

1059 “(3) An addition, alteration, and repair permit;

1060 “(4) An alteration and repair permit;

1061 “(5) A sheeting and shoring permit;

1062 “(6) A new building permit; and

1063 “(7) Trade permits.

1064 “(c) The Department shall not charge additional fees beyond the standard permit fees for
1065 eligible applicants to utilize the expedited permit review process established pursuant subsection
1066 (a) of this section.”.

1067 **SUBTITLE B. VACANT AND BLIGHTED PROPERTY TAX RATES.**

1068 Sec. 402. Section 47-812 of the District of Columbia Official Code is amended by
1069 adding a new subsection (b-13) to read as follows:

1070 “(b-13)(1) Notwithstanding the provisions of subsection (a) of this section, the sum of
1071 real property tax rates and special property tax rates for taxable Class 3 properties in the District
1072 of Columbia for the tax year beginning October 1, 2025, and each tax year thereafter, shall be as
1073 follows:

1074 “(A) For the first year in which the property is registered as vacant, the tax
1075 rate shall be the applicable tax rate for a Class 1A, Class 1B, or Class 2 property.

1076 “(B) For the second year in which the property is registered as vacant, the
1077 tax rate shall be \$3 for each \$100 of assessed value.

1078 “(C) For the third year in which the property is registered as vacant, the
1079 tax rate shall be \$4 for each \$100 of assessed value.

1080 “(D) For the fourth year, and any subsequent years, in which the property
1081 is registered as vacant, the tax rate shall be \$5 for each \$100 of assessed value.

1082 “(2) Notwithstanding the provisions of subsection (a) of this section, the sum of
1083 the real property tax rates and special real property tax rates for taxable Class 4 Properties in the
1084 District of Columbia for the tax year beginning October 1, 2025, and each year thereafter, shall
1085 be as follows:

1086 “(A) For the first year in which the property is designated as blighted
1087 vacant, the tax rate shall be the tax rate for a Class 1A, Class 1B, or Class 2 property.

1088 “(B) For the second year in which the property is designated as blighted
1089 vacant, the tax rate shall be \$6 for each \$100 of assessed value.

1090 “(C) For the third year in which the property is designated as blighted
1091 vacant, the tax rate shall be \$8 for each \$100 of assessed value.

1092 “(D) For the fourth year, and any subsequent years, in which the property
1093 is designated as blighted vacant, the tax rate shall be \$10 for each \$100 of assessed value.”.

1094 **SUBTITLE C. TAX SALE PROCEDURE FOR VACANT AND BLIGHTED**
1095 **PROPERTIES.**

1096 Sec. 403. Chapter 13A of Title 47 of the District of Columbia Official Code is amended
1097 as follows:

1098 (a) The table of contents is amended by adding the following at the end:

1099 “Subchapter V. Procedures for Class 3 and 4 Properties.

1100 “§ 47-1390. Eligibility to foreclose on a Class 3 or 4 Property.

1101 “§ 47-1391. Pre-foreclosure action notice; publication requirements.

1102 “§ 47-1392. Parties.

1103 “§ 47-1393. Complaint form; notice to certain persons.

1104 “§ 47-1394. Foreclosure proceedings; right of redemption.

1105 “§ 47-1395. Tax sale notice; bidder qualifications; excess; tax deed.”.

1106 (b) Section 47-1330 is amended as follows:

1107 (1) New paragraphs (1A) and (1B) are added to read as follows:

1108 “(1A) “Class 3 property” shall have the same meaning as § 47–813(c-9)(4)(A).

1109 “(1B) “Class 4 property” shall have the same meaning as § 47–813(c-9)(5)(A).”.

1110 (c) Section 47-1332 is amended as follows:

1111 (1) Subsection (c) is amended to read as follows:

1112 “(c) The Mayor shall not sell any real property if:

1113 “(1) A forbearance authorization has been approved in writing by the Mayor for

1114 the applicable tax sale;

1115 “(2) The owner enters into a payment plan pursuant to § 47-870 prior to the date

1116 of the tax sale;

1117 “(3) For an improved Class 1A or 1B Property, the tax amount to be sold is less

1118 than \$7,500;

1119 “(4) The real property is a Class 1A or 1B Property that is receiving a homestead

1120 deduction, with respect to which there is an outstanding non-void certificate of sale; provided,

1121 that no real property shall be excluded from sale solely pursuant to this paragraph if the non-void

1122 certificate of sale has been outstanding for 3 years or more; or

1123 “(5) For a Class 3 or Class 4 property, the owner has been delinquent for less than

1124 one year.”.

1125 (2) Subsection (e)(3)(A) is amended to read as follows:

1126 “(3)(A) The Mayor shall approve an application if the real property receives a

1127 homestead deduction and the tax amount to be sold is less than or equal to \$12,500.”.

1128 (d) New sections 47-1390 through 47-1396 are added to read as follows:

1129 “Sec. 47-1390. Eligibility to foreclose on a Class 3 or 4 Property.

1130 “After the expiration of one year from the date of delinquency, the Mayor may file a
1131 complaint with the Superior Court to foreclose on a tax certificate or certificates for a Class 3 or
1132 4 property.”.

1133 “Sec. 47-1391. Pre-foreclosure action notice; publication requirements.

1134 “(a)(1) No less than 90 days prior to the filing of a complaint with the Court pursuant to §
1135 47-1393, the Mayor shall send written notice to the owner of record of the property at such
1136 owner’s mailing address as updated in OTR’s real property records..

1137 (A) The notice shall inform the owner of the intent to file a complaint to
1138 foreclose on the tax certificate or certificates. The notice shall also contain the amount due as of
1139 the day of the notice, and state that the owner may pay the amount due, together with any
1140 additional interest, which may be owed prior to the filing date to halt any foreclosure action.

1141 “(2) The written notice pursuant to paragraph (1) of this subsection shall be sent
1142 by first class mail.

1143 “(b) At any time after 60 days from the mailing of the notice required in subsection (a) of
1144 this section, the Mayor shall cause to be advertised once in not less than 2 newspapers of general
1145 circulation in the District that are published once every 2 weeks, notice that the listed properties
1146 will subject to foreclosure proceedings due to delinquent real property taxes.

1147 “Sec. 47-1392. Parties.

1148 “(a) The plaintiff in an action to foreclose a Class 3 or 4 property pursuant to § 47-1394
1149 shall be the District.

1150 “(b) The defendants in an action to foreclose a Class 3 or 4 Property pursuant to § 47-
1151 1394 shall be:

1152 “(1) The record owner of the real property;

1153 “(2) If the real property is encumbered by a recorded life tenancy, the record life
1154 tenant and record remaindermen;

1155 “(3) If the real property is subject to a recorded estate for life or a recorded lease
1156 or ground rent for a term (with renewals) that is at least 30 years, the record owner of the fee
1157 simple title and the owner of the possessory interest as disclosed by a search performed in
1158 accordance with generally accepted standards of title examination of the records of the Recorder
1159 of Deeds;

1160 “(4) Any mortgagee of the real property, or any assignee of the mortgage of
1161 record, named as such in an unreleased mortgage recorded in the records of the Recorder of
1162 Deeds;

1163 “(5) The trustee of record under a deed of trust recorded against the real property
1164 and a holder of a beneficial interest in a deed of trust who files notice of the interest, which
1165 notice includes identification of the deed of trust, the book and page or roll and frame where the
1166 deed of trust is recorded, and the current address at which the holder may be served with a
1167 summons.

1168 “(c) If the identity of an owner cannot be ascertained, the unknown owner of the real
1169 property may be included may be included as a defendant by the designation: “Unknown owner
1170 of real property (insert a description of the real property in substantially the same form as the
1171 description that appears on the certificate of sale along with the street address, if any), the

1172 unknown owner's heirs, devisees, and personal representatives and their or any of their heirs,
1173 devisees, executors, administrators, grantees, assigns, or successors in right, title and interest."

1174 "Sec. 47-1393. Complaint form; notice to certain persons.

1175 "(a) A complaint filed to foreclose on a tax certificate or certificates for a Class 3 or 4
1176 Property shall, for each property listed in the complaint, contain:

1177 "(1) A description of the real property, by premises address, taxation square,
1178 suffix, and lot number, or parcel and lot number;

1179 "(2) The name(s) of the owner or owners of the property;

1180 "(3) A statement of the amount of taxes owed, including interest and penalties;
1181 and

1182 "(4) A request that the Court pass a judgment to foreclose on right of redemption.

1183 "(b) For each property listed in a complaint filed pursuant to subsection (a) of this
1184 section, a copy of the written notice provided to the owner pursuant to § 47-1391(a) shall be
1185 attached.

1186 "(c)(1) Upon filing a complaint with Superior Court pursuant to subsection (a) of this
1187 section, the Mayor shall send written notice of the action to all persons having a recorded
1188 interest, recorded claim, or recorded lien, including a recorded judgment, who have not been
1189 made a defendant in the action.

1190 "(2) The written notice required under paragraph (1) of this subsection shall be
1191 sent by first class mail and shall include as an attachment thereto a copy of the summons and
1192 complaint.

1193 “(d) The Mayor shall file a statement that the notice provisions of subsection (c) of this
1194 section have been complied with, or an affidavit stating that the address of the holder of the
1195 subordinate interest is not reasonably ascertainable.

1196 “Sec. 47-1394. Foreclosure proceedings; right of redemption.

1197 “(a)(1) Any defendant listed under § 47-1392(b) may file an answer and defense to the
1198 complaint within 30 after service of the notice and complaint. The answer may object to the
1199 proposed foreclosure upon one or more of the following grounds only:

1200 “(A) The real property is exempt from taxation or assessment pursuant to
1201 § 47-1002; or

1202 “(B) The delinquent taxes or assessments identified in the tax certificate or
1203 certificates were in fact paid;

1204 “(2) If an answer and defense is filed by any defendant or other interested person,
1205 the matter shall be heard in a summary manner without other pleading, and the court shall
1206 pronounce judgment.

1207 “(b) Real property subject to a foreclosure proceeding pursuant to this section may be
1208 redeemed at any time before the close of business before a judgment is entered, by payment, as
1209 prescribed by the Mayor, of the total amount of delinquent taxes, inclusive of interest and
1210 penalties.

1211 “(c) In the event that no answer by any person having a right to answer pursuant to
1212 subsection (a) of this section is provided, the Court determines that the issue raised by the answer
1213 of the defendant is without merit, or there is a failure to redeem pursuant to subsection (b) of this
1214 section, the Court shall order the District to sell the property at a public auction to satisfy the
1215 amount of lien, fees, and costs.

1216 “(d) The Court shall tax as a part of the taxable costs all legal fees and charges
1217 necessarily paid or incurred in procuring searches relative to the title of the real property,
1218 prosecuting the foreclosure action, providing for a court-ordered sale (including advertising and
1219 auctioneer fees) and securing and maintaining a guardian ad litem.

1220 “(e) The District shall not be required to plead or prove various steps, proceedings, and
1221 notices for the assessment and levy of taxes or assessments against the real property and all such
1222 taxes and assessment shall be presumed to be valid. A defendant alleging any jurisdictional
1223 defect or invalidity in the tax or assessment, because said real property was not liable to taxation
1224 or assessment, must particularly specify in the defendant’s answer such jurisdictional defect or
1225 invalidity and must affirmatively establish such defense.

1226 “(f) A guardian ad litem shall be appointed to serve for all persons known or unknown
1227 who have or may have an interest in the real property subject to a foreclosure action and who are
1228 or may be minors or individuals adjudicated incompetent at the date of filing such a list.

1229 “Sec. 47-1395. Tax sale notice; bidder qualifications; excess; tax deed.

1230 “(a) No less than 90 days after a judgment is entered by the Court, the Mayor shall
1231 publicly notice any Class 3 and 4 Properties that will be sold at a tax sale as follows:

1232 “(1) In not less than 2 newspapers of general circulation in the District that are
1233 published once every 2 weeks, a public notice stating the listed real property will be sold at
1234 public auction and at the place named in the public notice; and

1235 “(2) A list of real property in the public notice on the Office of Tax and Revenue’s
1236 website.

1237 “(b) The list in the public notice shall contain the following:

1238 “(1) A description of the real property, by premises address, taxation square,
1239 suffix, and lot number, or parcel and lot number;

1240 “(2) The name of the person who last appears on the Mayor’s tax roll as the owner
1241 of the real property;

1242 “(3) The minimum bid required to purchase the property at tax sale.

1243 “(c) Before any sale, applicants to bid in a public auction must demonstrate that:

1244 “(1) The applicants or proposed buyer have financial resources available to
1245 rehabilitate the property;

1246 “(2) The applicants or proposed buyer have experience rehabilitating properties or
1247 have a contract or agreement with a person or organization that has experience rehabilitating
1248 properties;

1249 “(3) The applicants or proposed buyer do not have any unresolved notices of
1250 infraction related to property maintenance violations in the District, if applicable; and

1251 “(4) The applicant is current on all taxes and liabilities owed to the District.

1252 “(d) Real property sold at tax sale pursuant to this section shall be sold “as is.” There is
1253 no guarantee or warranty of any kind, express or implied, relative to: Title, eligibility to build
1254 upon or subdivide the property; zoning classification; size; location; fitness for any use or
1255 purpose; or any other feature or condition of a foreclosed property sold pursuant to this section.

1256 “(e) If the highest bid for a property sold pursuant to this section exceeds the minimum
1257 bid due upon the whole property, the excess must be refunded, following payment of any
1258 recorded liens, to the owner of the record of the property. In the event that no claim for the
1259 excess is received by the Mayor within three years after the date of the sale, the Chief Financial
1260 Officer shall deposit the excess in the General Fund of the District of Columbia.

1261 “(f) The Mayor shall issue a deed for any property purchased by a bidder at a tax sale
1262 held pursuant to this section. The deed shall be prima facie evidence of a good and perfect title in
1263 fee simple to the real property.”.

1264 **SUBTITLE D. VACANT AND BLIGHTED HOME REVITALIZATION TAX**
1265 **CREDIT.**

1266 Sec. 404. Title 47 of the District of Columbia Official Code is amended as follows:

1267 (a) The table of contents is amended by adding a new chapter designation to read as
1268 follows:

1269 “19. Vacant and Blighted Property Rehabilitation Credit.”

1270 (b) A new chapter 19 is added to read as follows:

1271 “CHAPTER 19. VACANT AND BLIGHTED PROPERTY REHABILITATION
1272 CREDIT.

1273 “47-1819.01. Definitions.

1274 “47-1819.02. Credit Established.

1275 “47-1819.03. Annual Cap.

1276 “47-1819.04. Application and Mayoral Certification.

1277 “Sec. 47-1819.01. Definitions.

1278 “For purposes of sections § 47–1806.17a through 47-1806.17g, the term:

1279 “(1) “Area median family income” means the median family income for the
1280 Washington Metropolitan Statistical Area as set forth by the United States Department of
1281 Housing and Urban Development, adjusted for household size.

1282 “(2) “Class 3 property” shall have the same meaning as § 47–813(c-9)(4)(A).

1283 “(3) “Class 4 property” shall have the same meaning as § 47–813(c-9)(5)(A).

1284 “(4) “Eligible development costs” means amounts paid or incurred by an eligible
1285 taxpayer after December 31, 2025 for the acquisition of eligible property, construction,
1286 substantial rehabilitation, demolition of structures, or environmental remediation.

1287 “(5) “Eligible property” means a Class 3 or Class 4 property that is:

1288 “(A) A house comprised of 4 or fewer residential units or a condominium
1289 unit; and

1290 “(B) Located in a qualifying census tract as determined by the Mayor as of
1291 the date of the application pursuant to § 47–1819.04.

1292 “(6) “Eligible taxpayer” means a taxpayer certified by the Mayor pursuant § 47–
1293 1819.04(b) as eligible to claim the credit established under this chapter.

1294 “(7) “Qualifying census tract” means a census tract which has:

1295 “(A) A median family income which does not exceed 120% of the median
1296 family income of the District;

1297 “(B) A poverty rate that is not less than 130% of the poverty rate of the
1298 District; and

1299 “(C) A median value for owner-occupied homes that does not exceed the
1300 median value for all owner-occupied homes in the District.

1301 “(8) “Qualified homeowner” means an individual whose family income is 120%
1302 or less of the area median family income as of the date that a binding contract is entered into
1303 between that individual and an eligible taxpayer for the sale of the eligible property.

1304 “(9) “Substantial rehabilitation” means amounts paid or incurred for rehabilitation
1305 of an eligible property if such amounts exceed \$150,000 multiplied by the difference between the
1306 Consumer Price Index for the preceding tax year and the Consumer Price Index for the tax year

1307 2024 divided by the Consumer Price Index for tax year 2024. For the purposes of this paragraph,
1308 the Consumer Price Index for any real property tax year is the average of the Consumer Price
1309 Index for the Washington-Baltimore Metropolitan Statistical Area for all urban consumers
1310 published by the Department of Labor, or any successor index, as of the close of the 12-month
1311 period ending on September 30 of such tax year.

1312 “Sec. 47-1819.02. Credit established.

1313 (a) For tax years beginning after December 31, 2025, there is established a District of
1314 Columbia vacant and blighted home revitalization tax credit that may be claimed against taxes
1315 imposed under this subtitle.

1316 (b) The amount of the credit shall be 75% of the eligible development costs as certified
1317 by the Mayor to the Chief Financial Officer pursuant to § 47–1819.04(b).

1318 (c) The credit may exceed the tax liability under this chapter, including any minimum tax
1319 due under §§ 47-1807.02(b) or 47-1808.03(b), for that taxable year and shall be refundable to the
1320 eligible taxpayer, including an organization exempt under § 47–1802.01(a)(3) from taxation
1321 under this subtitle.

1322 (d) The credit may only be allowed if it:

1323 (1) Has been approved and certified by the Mayor to the Chief Financial Officer
1324 pursuant to § 47–1819.04:

1325 (2) Is claimed by an eligible taxpayer in the taxable year in which the substantial
1326 rehabilitation of the eligible property is completed; and

1327 (3) Is claimed in the manner and form prescribed by the Chief Financial Officer.

1328 “Sec. 47-1819.03. Annual Cap.

1329 “The Mayor may approve up to \$2,500,000 in credits under this subchapter each fiscal
1330 year.

1331 “Sec. 47-1809.04. Application and Mayoral certification.

1332 (a) Before a taxpayer may claim a credit pursuant this subchapter, the taxpayer must
1333 apply to the Mayor requesting approval.

1334 (b) If a taxpayer’s application is approved in accordance with this subchapter, the Mayor
1335 shall certify to the Chief Financial Officer the following on before December 1 of the calendar
1336 year following the end of the fiscal year in which the credit was approved:

1337 (1) The name and taxpayer identification number of the eligible taxpayer;

1338 (2) The address of the eligible property (including square and lot);

1339 (3) That the eligible taxpayer’s application in accordance with this section was
1340 approved;

1341 (4) The date the substantial rehabilitation was completed;

1342 (5) That the eligible taxpayer sold the property to a qualifying homeowner;

1343 (6) The total amount of the eligible development costs incurred by the eligible
1344 taxpayer;

1345 (7) The total amount of the credit approved for the eligible taxpayer; and

1346 (8) Any other information requested by the Chief Financial Officer.”.

1347 **SUBTITLE E. TAX ABATEMENT FOR THE REDEVELOPMENT OF VACANT**
1348 **AND BLIGHTED COMMERCIAL PROPERTIES.**

1349 Sec. 405. Title 47 of the District of Columbia Official Code is amended as follows:

1350 (a) Section 47-813 is amended as follows:

1351 (1) Subsection (c-9)(4) is amended to read as follows:

1352 “(c-9)(4)(A) Class 3 property shall be comprised of all improved real property that
1353 appears as vacant on the list compiled under § 42-3131.16.

1354 “(B) The Office of Tax and Revenue may request the Mayor to inspect the
1355 improved real property to determine whether the property is correctly designated or registered as
1356 vacant on the list compiled under § 42-3131.16.”.

1357 (2) Subsection (c-9)(5) is amended to read as follows:

1358 “(c-9)(5)(A) Class 4 Property shall be comprised of all improved real property that
1359 appears as blighted vacant on the list compiled under § 42-3131.16.

1360 “(B) The Office of Tax and Revenue may request the Mayor to inspect the
1361 improved real property to determine whether the property is correctly designated as blighted
1362 vacant on the list compiled under § 42-3131.16.”.

1363 (c) By adding new sections 47-861.01 through 47-861.04 to read as follows:

1364 “Sec. 47-861.01. Tax abatements for the redevelopment of vacant and blighted
1365 commercial properties – Definitions.

1366 “For purposes of §§ 47-861.01 through 47-861.04, the term:

1367 “(1) “Class 3 property” shall have the same meaning as § 47-813(c-9)(4)(A).

1368 “(2) “Class 4 property” shall have the same meaning as § 47-813(c-9)(5)(A).

1369 “(3) “Eligible development costs” means amounts paid or incurred for
1370 construction, substantial rehabilitation, demolition of structures, or environmental remediation of
1371 an eligible property. Eligible development costs shall not include land acquisition costs.

1372 “(4) “Eligible property” means a Class 3 or Class 4 property that:

1373 “(A) Shall be redeveloped to be used for commercial purposes as defined
1374 in paragraph 5 of this section; and

1375 “(B) Has been registered as a Class 3 or Class 4 property for at least 12
1376 months without any exemptions pursuant to § 42–3131.06a.

1377 “(5) “Used for commercial purposes” means use of real property primarily for
1378 conducting any trade, business, or profession, whether for profit or not, including providing
1379 goods or services or operating as a hotel or inn.

1380 “(6) “OTR” means the Office of Tax and Revenue.

1381 “Sec. 47-861.02. Tax abatements for the redevelopment of vacant and blighted
1382 commercial properties – Requirements.

1383 “(a) Subject to § 47-861.03, the Mayor may approve an abatement of the tax otherwise
1384 imposed under this chapter, in an amount calculated pursuant to § 47-861.03(a), for an eligible
1385 property if:

1386 “(1) Eligible development costs exceed \$1.5 million.

1387 “(2) The property owner, or its designee or assignee, demonstrates to the
1388 satisfaction of the Mayor that the abatement shall materially assist the redevelopment project and
1389 the redevelopment project would not go forward without the abatement.

1390 “(3) The property owner, or its designee or assignee, enters into an agreement
1391 with the District that requires the owner, or its designee or assignee, to, at a minimum, contract
1392 with certified business enterprises for at least 35% of the contract dollar volume of the
1393 construction of the project, in accordance with § 2-218.46.

1394 “(4) The property owner, or its designee or assignee, executes a First Source
1395 Agreement for the construction and operation of the project.

1396 “(5) The property owner, or its designee or assignee, requests a letter from the
1397 Mayor stating that the proposed redevelopment project is eligible for the tax abatement, setting

1398 forth the expected amount of the abatement, as determined pursuant to § 47-861.03(a), and
1399 reserving that amount for the project.

1400 “(6) The Mayor transmits to the owner the eligibility and reservation letter
1401 requested under paragraph (4) of this section, subject to such conditions as may be imposed by
1402 the Mayor and subject to the adjustment of the abatement amount based on the certifications
1403 provided for in § 47-860.03(a) and the abatement cap set forth in § 47-861.03(b).

1404 “(b) The Mayor shall, as nearly as practicable, review requests for eligibility and
1405 reservation letters in the order in which each completed request is received.

1406 “(c) The Mayor shall transmit to OTR a copy of each eligibility and reservation letter
1407 transmitted by the Mayor to an owner pursuant to subsection (a)(5) of this section.

1408 “(d) An abatement of the tax otherwise imposed under this chapter shall not be provided
1409 for a property for which an eligibility and reservation letter was transmitted by the Mayor
1410 pursuant to subsection (a)(5) of this section if the project which was the basis upon which the
1411 eligibility and reservation letter was issued has not received a certificate of occupancy within 24
1412 months after the date the eligibility and reservation letter was transmitted; provided, that the
1413 Mayor may extend the 24-month period for up to 8 months as deemed necessary.

1414 “(e)(1) After the completion of a project for which an eligibility and reservation letter was
1415 issued, the Mayor shall, if the conditions set forth in this section and the eligibility and
1416 reservation letter have been met, and subject to the abatement cap set forth in § 47-860.03(b),
1417 issue the property owner a certification of tax abatement, subject to such conditions as the Mayor
1418 may impose. The Mayor shall provide a copy of the certification letter to OTR. The certification
1419 shall identify:

1420 “(A) The property to which the certification applies by square and lot, or
1421 parcel or reservation number;
1422 “(B) The full legal name of the property owner, including taxpayer
1423 identification number;
1424 “(C) The tax to which the certification applies;
1425 “(D) The portion of the property that is eligible;
1426 “(E) The commencement date of the abatement;
1427 “(F) Any other information OTR shall require to administer the abatement.
1428 “(2) The Mayor shall notify the property owner and OTR if any property or owner
1429 certified under paragraph (1) of this subsection becomes ineligible for the abatement. The notice
1430 shall be written, shall identify the ineligible property, the date that the property became
1431 ineligible, and any other information required by OTR to terminate the abatement.
1432 “Sec. 47-861.03. Tax abatements for the redevelopment of vacant and blighted
1433 commercial properties – Abatement period, abatement amount, and caps.
1434 “(a) For each property for which a certification of abatement was issued under § 47-
1435 860.02(e), the real property tax imposed on the property under this chapter shall be abated as
1436 follows:
1437 “(1) Half of the otherwise applicable tax in each of the first six tax years
1438 following the tax year during which a certification of tax abatement is issued pursuant to § 47-
1439 860.02(e);
1440 “(2) Two-thirds of the applicable tax in each of the seventh and eighth tax years
1441 following the tax year during which a certification of tax abatement is issued pursuant to § 47-
1442 860.02(e); and

1443 “(3) Three-quarters of the applicable tax in each of the ninth and tenth tax years
1444 following the tax year during which a certification of tax abatement is issued pursuant to § 47-
1445 860.02(e).

1446 “(b) The total amount of tax abatements the Mayor may approve or certify under § 47-
1447 860.02 in each fiscal year, including amounts certified in prior years, shall be capped at the
1448 following amounts, subject to the availability of funding:

1449 “(1) For fiscal years 2027, 2028, and 2029, up to \$3 million; and

1450 “(2) For each succeeding fiscal year after Fiscal Year 2029, up to \$6 million.

1451 “(c) (1) Prior to the preparation by OTR of tax bills for each half-year installment of tax,
1452 the Mayor shall certify to OTR, by a date and in a form and medium prescribed by OTR, each
1453 property eligible to receive a real property tax abatement pursuant to a certification issued
1454 pursuant to § 47-860.02(e), and the portion of the tax to be abated under subsection (a) of this
1455 section for each such property with respect to such half-year installment bill.

1456 “(2) The certification required by paragraph (1) of this subsection shall be
1457 accompanied by a statement from the Mayor specifying the total amount of the tax abatement
1458 under subsection (b) of this section for the semiannual period of the certification that is available
1459 to abate the taxes of the properties identified pursuant to paragraph (1) of this subsection.

1460 “(d) If the amount of tax to be abated for any semiannual billing period for all properties
1461 certified under subsection (c)(1) of this section exceeds the total dollar amount of tax abatements
1462 available as certified under subsection (c)(2) of this section, the available dollar amount shall be
1463 allocated pro rata among all properties certified under subsection (c)(1) of this section.

1464 “Sec. 47-861.04. Tax abatements for the redevelopment of vacant and blighted
1465 commercial properties – Rules.

1466 “The Mayor shall, pursuant to Subchapter I of Chapter 5 of Title 2, issue rules to
1467 implement §§ 47-861.01 through 47-861.03.”.

1468 **TITLE V. FISCAL IMPACT STATEMENT; EFFECTIVE DATE.**

1469 Sec. 501. Fiscal impact statement.

1470 The Council adopts the fiscal impact statement in the committee report as the fiscal
1471 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
1472 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

1473 Sec. 502. Effective date.

1474 This act shall take effect following approval by the Mayor (or in the event of veto by the
1475 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
1476 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
1477 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
1478 Columbia Register.