



## Government of the District of Columbia

Office of the Deputy Mayor  
for Planning and Economic Development

June 9, 2005

Joseph Fengler  
Chair, Advisory Neighborhood Commission 6A  
District of Columbia Government  
Box 75115  
Washington, DC 20013

Re: Response to recommendations for the Home Again Initiative and Wylie St. NE projects

Dear Mr. Fengler

It is with pleasure that I am responding to your letter dated May 25, 2005 which acknowledges the goals of Home Again, to eradicate slum and blight and the revitalization of neighborhoods, as commendable. I appreciate your concerns and have provided the following responses to each of your recommendations:

For the Home Again Initiative

Recommendation # 1:

The Home Again Initiative should, at a minimum, notify the ANC, SMD, and Ward Councilmember when a property is assigned to a bundle and then again when the bundle is allocated to a developer.

Response:

**Currently the Council of the District of Columbia approves the disposition of Home Again properties. Home Again will also notify the Ward Councilmember and the Advisory Neighborhood Commission (ANC) when a Request for Proposal is issued. Additionally, once the Deputy Mayor makes a conditional award of the properties, both the Ward Councilmember and ANC will be notified.**

Recommendation # 2:

The Home Again Initiative should create public involvement guidelines for developers. Even matter-of-right projects can proceed much more smoothly if residents are informed early, hopefully in a meeting or series of meetings organized by an ANC Commissioner. Office of Planning should help with these community involvement and notification guidelines.

Response:

**Home Again currently informs developers to reach out to ANCs and civic associations. How the individual developer conducts outreach is left to their discretion. Home Again does take under advisement how developers perform, including their ability to be effective community partners, when determining if developers should be awarded future bundles or even disqualified from bidding on future bundles.**

Recommendation # 3:

As required by regulation, all Home Again projects should be required to submit a complete set of building plans. A set of these plans should be maintained by DMPED as a documented history of the renovation and to allow review for accuracy and soundness of design.

Response:

**Home Again currently requires developers to provide the program a copy of the permit set of drawings once a permit is obtained. DCRA, through its construction inspections, ensures that the project adheres to all applicable codes, and requires the submission of a complete set building plans for review for compliance with building codes and zoning requirements. DCRA maintains a set of the “approved” plans at 941 North Capitol Street, N.E. for approximately three years. Thereafter, the building plans are maintained in the archives and are retrieved upon request. Therefore, both DMPED and DCRA maintain a set of these plans.**

Recommendation # 4:

The Home Again Initiative should clarify its policy with respect to affordable housing. ANC 6A is a proponent of affordable housing and has previously expressed a preference that affordable housing be allocated to residents across the range of low incomes.

Response:

**The eradication of slum and blight and the revitalization of neighborhoods are the primary goals of the Home Again Initiative. However, Home Again has had a very clear and consistent policy regarding affordability since its inception in 2002 which is required by law. Specifically, 20% of all of the units produced must be affordable to buyers who earn less than 80% of the Area Median Income as defined by the U.S. Department of Housing and Community Development.**

For MOTIR projects on Wylie St NE

Recommendation # 1:

MOTIR should post all permits immediately at 1209 Wylie Street, NE so that neighbors know if the work they see happening there is permitted. No other property should be released to MOTIR pending satisfactory resolution of issues with 1209 Wylie Street, NE.

Response:

**As required by the District's Construction Codes, contractors and property owners must post building permits at the construction site for public viewing. DCRA will monitor this site to ensure compliance with all Construction Codes and specifically the posting of permits.**

Recommendation # 2:

On the projects that involve excavation and party walls (1215, 1216, and 1217 Wylie Street, NE), MOTIR should have been in contact with the adjacent property owners before submitting permit applications. DCRA should not issue any permits for these addresses until there is an indication in the application file that this has happened.

Response:

**Pursuant to , Section 3307A of the District of Columbia Construction Codes (12DCMR), in the case of excavation, a contractor/owner must notify the adjoining property owners not less than 30 days prior to the proposed starting date of the work. The contractor/owner must also provide a copy of the notice to the Chief Building Inspector. There is no legal requirement for the contractor/owner to provide notification to the adjoining property owner at the time of submitting the permit application. Thus, a request to have MOTIR contact adjacent property owners prior to submitting permit applications cannot be a factor considered by DCRA when it issues permits. DCRA is legally bound to issue permits, once properly filed and found to meet the regulatory requirements.**

Recommendation # 3:

The Home Again Initiative needs to inform MOTIR of their responsibilities with respect to adjacent property owners. No title should be surrendered until Home Again has confirmation that adjacent neighbors have been consulted.

Response:

**Home Again does not transfer title until the developer has obtained building permits. During the permit application review process, DCRA makes the determination of the appropriate provisions of the code, including the provisions regarding the protection of adjacent property and informs permit applicants of the notifications required. Thus at the point that Home Again surrenders title, MOTIR has been issued building permits and has been informed by DCRA, the appropriate regulatory to inform and enforce this requirement, of their responsibilities with respect to adjacent property owners.**

Recommendation # 4:

No building or site should ever be left unsupervised and unsecured. When the work day ends, the buildings must be secured or monitored for safety.

Response:

**A contractor is responsible for ensuring that a construction site is safe and secure at all times. This responsibility is also provided in the Code to which the contractor is bound to adhere. DCRA will periodically monitor this site to ensure that the site is properly maintained.**

Recommendation # 5:

MOTIR needs to propose a plan for community involvement with full plans, documentation, and meeting schedule before DCRA issues permits for the vacant lots. (The developer needs to be more proactive in meeting with residents to discuss the plans for 4 lots on one block, which is a substantial amount of activity even if matter-of-right.)

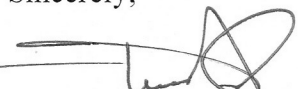
Response:

**DCRA is legally bound to issue permits, once properly filed and found to meet the regulatory requirements. The law does not require that MOTIR propose a plan for community involvement with full plans, documentation, and meeting schedule before DCRA issues permits for the vacant lots. While MOTIR is informed by Home Again of its responsibility for community involvement, a community involvement plan cannot be a factor considered by DCRA when it issues permits.**

**Home Again has instructed MOTIR several times to meet with the community to discuss all pertinent issues related to the three vacant lots on Wylie Street NW they were awarded. Title will not be transferred to MOTIR unless Home Again understands that the concerns raised by the community have been adequately addressed.**

Thank you again for sharing your concerns with me. I look forward to further partnerships with ANC 6A and the Wylie Street community. Should you have any questions or additional concerns, please contact Howard Ways, Special Assistant in the Office of the Deputy Mayor for Planning and Economic Development, at 478-1355.

Sincerely,



Stanley Jackson  
Deputy Mayor for Planning and Economic Development

Cc: Councilmember Sharon Ambrose  
Councilmember Jim Graham  
Dr. Patrick Canavan, Director of DCRA

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