

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

BOARD FOR

THE CONDEMNATION OF INSANITARY BUILDINGS

NOTICE OF PUBLIC INTEREST

The Director of the Department of Consumer and Regulatory Affairs, in accordance with section 742 of the District of Columbia Home Rule Act of 1973, as amended, D.C. Code section 1-1504 (1999 Repl.), hereby gives notice that the Board for the Condemnation of Insanitary Buildings' (BCIB) regular meetings will be held on the dates listed below for calendar year 2006, (the second and fourth Wednesday of each month). The meetings will begin at 10:00 a.m. in Room 7100 of 941 North Capitol Street, NW, Washington, D.C. 20002. These regularly scheduled meetings of the BCIB are open to the public. Please call the Building Condemnation Division on (202) 442-4322 or 442-4486 for further information or for changes in this schedule.

The BCIB is charged with examining the sanitary condition of all buildings in the District of Columbia, determining which buildings are in such insanitary condition as to endanger the health or lives of its occupants or persons living in the vicinity, and issuing orders of condemnation requiring the owners to remedy the insanitary condition. Should the owner fail to remedy the cited conditions, the BCIB shall cause the building to be made habitable, safe and sanitary or razed and removed. The cost of work performed by the District of Columbia Government shall be assessed to the property.

Calendar Year 2006 Meeting Dates

November 15, 2006

December 6, 2006

December 20, 2006

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BOARD FOR THE CONDEMNATION OF INSANITARY BUILDING
P.O. BOX 37200
WASHINGTON, D.C. 20013-7200

Find enclosed a list of buildings against which condemnation proceedings have been instituted. This list is current as of **October 2006**. The following paragraphs will give some insight into why these buildings were condemned and the meaning of condemnation for insanitary reasons.

Each listed property has been condemned by the District of Columbia Government's Board for the Condemnation of Insanitary Buildings (BCIB). The authority for this board is Title 6, Chapter 9, of the District of Columbia Code, 2001 Edition. The BCIB has examined each property and has registered with the record owner (via condemnation) a strong disapproval of the condition in which the property is being maintained. The BCIB has recorded at the Office of the Recorder of Deeds an Order of Condemnation against each property for the benefit of purchasers and the real estate industry.

These properties were condemned because they were found to be in such an insanitary condition as to endanger the health and lives of persons living in or in the vicinity of the property. The corrective action necessary to remove the condemnation order could take the form of demolition and removal of the building by the owner or the BCIB. However, most buildings are rendered sanitary, i.e., the insanitary conditions are corrected by the owner or the BCIB.

The administration of the condemnation program does not take title to property. The title to each property remains with the owner. Accordingly, inquiries for the sale or value of these properties should be directed to the owner of record. Inquiries regarding the owner or owner's address should be directed to the Office of Tax and Revenue, Customer Service, Office of Real Property Tax (202) 727-4829, 941 North Capitol Street, NE, 1st floor.

For further assistance, contact the Support Staff of the BCIB on 442-4486.

THE BOARD FOR THE CONDEMNATION OF INSANITARY BUILDING

Enclosure:

**BOARD FOR
THE CONDEMNATION OF INSANITARY BUILDINGS**

NOTICE OF PUBLIC INTEREST

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest</u>			
51 Bryant Street	0104	3127	5
635 Columbia Road	0153	3052	1
5109 Connecticut Avenue	0048	1989	3
5109 Connecticut Avenue-Rear	0048	1989	3
412 Delafield Place	0175	3251	4
410 Florida Avenue	0040	0507	5
1461 Florida Avenue	0147	2660	1
3003 Georgia Avenue	0111	3052	1
3919 Georgia Avenue	0035	3027	4
4607 Georgia Avenue	0016	3015	4
500 Irving Street	0119	3051	1
616 Irving Street	0146	3052	1
1710 Irving Street	0001	2771	4
1301 Kalmia Road	0001	2771	4
806 Kennedy Street	0812	2994	4
709 Kenyon Street	0806	2892	1
416 Luray Place-Rear	0077	3044	1
444 M Street	0861	0514	2
1000 M Street	0057	0341	2
1002 M Street	0056	0341	2
1006 M Street	0051	0341	2
1824 Monroe Street	0813	2614	1
212 Morgan Street	0083	0555	6
216 Morgan Street	0018	0555	6
3642 New Hampshire Ave.-Rear	0032	2898	1
1320 North Capitol Street	0154	0617	5
1424 North Capitol Street	0010	0616	5
1426 North Capitol Street	0836	0616	5
86 O Street	0201	0617	5
405 O Street	0802	0511	2
509 O Street	0479	2001/2002	2
605 P Street	0154	0445	2
1429 Parkwood Place	0062	2688	1
1433 Parkwood Place	0064	2688	1
1428 Perry Place	0029	2688	1

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (Con't)</u>			
1427 Q Street	0009	0208	2
1001 Quebec Place	0063	2902	4
3620 RCC Road	0121	2831	1
53 S Street	0039	3106	5
423 Shepherd Street	0038	3238	4
423 Shepherd Street-Rear	0038	3238	4
912 Shepherd Street	0028	2906	4
815 T Street	0023	0393	1
901 U Street	0100	0360	2
1359 U Street	0805	0236	1
1361 U Street	0805	0236	1
613 Upshur Street	0072	3226	4
613 Upshur Street-Rear	0072	3226	4
2023 Vermont Avenue	0087	0360	1
215 Whittier Street-Rear	0820	3363	4
1329 Wisconsin Avenue	0068	1232	2
1401 1 st Street	0814	0616	5
1821 1 st Street	0137	3110	5
1837 1 st Street	0126	3110	5
1202 3 rd Street	0837	0523	2
1506 3 rd Street	0818	0521	5
1859 3 rd Street	0810	3096	1
1922 3 rd Street-Rear	0010	3089	1
1209 4 th Street	0810	0523	6
1211 4 th Street	0502	2026	6
1221 4 th Street	0848	0523	2
1417 5 th Street	0054	0511	2
1425 5 th Street	0511	0817	2
1427 5 th Street	0818	0511	2
4832 7 th Street	0085	3146	4
1905 8 th Street	0802	0416	1
1905 8 th Street -Rear	0802	0416	1
1301 9 th Street	0801	0399	2
1303 9 th Street	0062	0399	2
1305 9 th Street	0063	0399	2
1307 9 th Street	0803	0399	2
1309 9 th Street	0804	0399	2
1822 9 th Street	0242	0362	1
1715 11 th Street	0010	0335	2
2232 11 th Street	0070	0302	1

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (Con't)</u>			
3007 11 th Street	0099	2851	1
1316 12 th Street	0824	0280	2
5113 13 th Street-Rear	0019	2929	4
5713 13 th Street-Rear	0051	2935	4
5749 13 th Street-Rear	58/818	2935	4
2208 14 th Street	0030	0202	1
3405 14 th Street	0115	2836	1
3431 14 th Street	0133	2836	1
3509 14 th Street	0053	2827S	1
4024 14 th Street	0053	2694	4
5209 14 th Street	0105	2804	4
3350 17 th Street	0093	2612	1
3350 17 th Street-Rear	0093	2612	1
2423 18 th Street	0093	2560	1
3222 19 th Street	0817	2604	1

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast</u>			
1033-39 Bladensburg Road	0807	4473	5
4611 Clay Street	0011	5134	7
4615 Clay Street	0012	5134	7
1334 Downing Place	0039	4027	5
837 Florida Avenue	0063	0908	6
903 Florida Avenue	0802	931N	6
905 Florida Avenue	0804	931N	6
1369 Florida Avenue-Rear	0129	1026	6
1654 Gales Street	0122	4510	6
2001-R Gales St-Rear #1	0800	4525	7
2001-R Gales St-Rear #2	0800	4525	7
2001-R Gales St-Rear #3	0800	4525	7
2001-R Gales St-Rear #4	0800	4525	7
2001-R Gales St-Rear #5	0800	4525	7
2001-R Gales St-Rear #6	0800	4525	7
2001-R Gales St-Rear #7	0800	4525	7
2001-R Gales St-Rear #8	0800	4525	7
2001-R Gales St-Rear #9	0800	4525	7
2001-R Gales St-Rear #10	0800	4525	7

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast (Con't)</u>			
4035 Grant Street-Rear	0083	5078	7
411 H Street	0030	0809	6
413 H Street	0812	0809	6
1360 H Street	0070	1026	6
1376 H Street	0819	1026	6
1002 Irving Street	0812	3877	5
1511 Isherwood Street	0176	4544	6
1249 Lawrence Street	0021	3930	5
4813 Jay Street	0087	5149	7
5069 Just Street	0305	5176	7
5095 Just Street	0314	5176	7
303 K Street	0804	0775	6
1753 L Street	0104	4474	5
4502 Lee Street	0148	5155	7
5119 Lee Street	0038	5200	7
1800 M Street	0124	4445	5
1210 Montello Avenue	0032	4065	5
1405 Montello Avenue	0028	4060	5
1410 Montello Avenue	0809	4059	5
1414 Montello Avenue	0807	4059	5
5706 NHB Avenue	0010	5214	7
4943 Nash Street	0043	5173	7
4943 Nash Street-Rear	0043	5173	7
735 Nicholson Street	0089	3742	4
1925 North Capitol Street	0014	3509	5
1309 North Carolina Avenue	0115	1035	6
1243 Owen Place	0188	4060	5
4909 Quarles Street	0042	PAR-0184	7
115 Riggs Road	0085	3701	5
3610 South Dakota Avenue	0033	4224	5
3610 South Dakota Ave.-Rear	0033	4224	5
227 Tennessee Avenue	0127	1033	6
227 Tennessee Avenue-Rear	0127	1033	6
415 W Street	0041	3601	5
514 3 rd Street	0054	0754	6
915 3 rd Street	0801	0775	6
1811 3 rd Street	0007	3570	5
2433 3 rd Street	0098	3555	5
2410R 4 th Street-Rear	0059	3555	5
2416R 4 th Street-Rear	0075	3555	5

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast (Con't)</u>			
819 8 th Street	0028	0911	6
214 15 th Street	0106	1055	6
3300 18 th Street	0019	4143	5
4310 22 nd Street	0012	4232	5
3721 30 th Place	0814	4304E	5
1322 45 th Place	0025	5120	7
1202 47 th Place	0060	5160	7
1227 47 th Place	0039	5160	7
1017 48 th Street	0010	5153	7
1055 48 th Street	0098	5153	7
859 51 st Street	0037	5198W	7
109 53 rd Street	0091	5243	7
244 56 th Street	0141	5250	7

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southeast</u>			
1523 A Street	0816	1072	6
1751 A Street	0063	1097	6
1751 A Street-Rear	0063	1097	6
5019 A Street	0005	5327	7
5019 A Street-Rear (Shed)	0005	5327	7
5055 A Street	0014	5327	7
1444 Alabama Avenue	0815	5889	8
20 Bass Circle	0012	5345	7
5010 Benning Road	0068	5340	7
5032 Benning Road	0037	5340	7
3401 Brothers Place	0803	6006	8
4915 C Street	0028	5336	7
5201 C Street	0009	5312	7
4926 Call Place	0033	5336	7
4930 Call Place	0032	5336	7
5000 Call Place	0035	5323	7
3213 Dubois Place	0038	5430	7
627 E Street-Rear	0842	0877	6
3118 E Street	0807	5440	7
3326 Ely Place	0807	5444	6

BUILDINGS CONDEMNEDLOTSQUAREWD

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Southeast (Con't)

647 G Street	0139	0878	6
3009 G Street	0807	5480	7
1239 Good Hope Road	0089	3033	8
1410 Good Hope Road	0024	5605	8
2262 High Street	0899	5799	8
1220 Mapleview Place	0811	5800	8
1909 MLK Jr. Avenue	0829	5770	8
1911 MLK Jr. Avenue	0829	5770	8
1913 MLK Jr. Avenue	0829	5770	8
2228 MLK Jr. Avenue	0810	5802	8
2234 MLK Jr. Avenue	0811	5802	8
2238 MLK Jr. Avenue	0978	5802	8
2629 MLK Jr. Avenue-East	0192	5867	8
2629 MLK Jr. Avenue-West	0192	5867	8
2759 MLK Jr. Avenue-Rear	0802	5982	8
2241 Prout Street	0803	5561	8
1008 South Carolina Avenue	0023	970	6
1225 Sumner Road	0980	5865	8
1333 Valley Place	0891	5801	8
821 Virginia Avenue	0006	0929	6
1242 W Street	0099	5782	8
4010 3 rd Street	0806	6167	8
4014 3 rd Street	0804	6167	8
3020 7 th Street	0050	5953	8
3009 8 th Street	0814	5953	8
3009 8 th Street -Rear	0814	5953	8
102 9 th Street	0801	0943	6
911 12 th Street	0019	0969	6
20 53 rd Place	0884	5284	7

BUILDINGS CONDEMNEDLOTSQUAREWDSouthwest

78 Darrington Street-Rear	0023	6223S	8
61 Forrester Street	0063	6240	8
71 Forrester Street	0067	6240	8
157 Forrester Street	0803	6240	8

**DCRA- OFFICE OF THE TENANT ADVOCATE
TENANT ADVISORY COUNCIL**

**NOTICE OF REGULARLY SCHEDULED MEETINGS
CALENDAR YEAR 2006-2007**

The newly-formed DC Tenant Advisory Council advises on the activities of the Office of the Tenant Advocate and works to promote tenant housing rights and issues.

The Citywide Tenant Advisory Council meets every second Thursday of the month from 6:30-8pm. The meeting dates for Calendar Year 2006-2007 are:

November 9, 2006
December 14, 2006
January 11, 2007
February 8, 2007
March 8, 2007
April 12, 2007
May 10, 2007
June 14, 2007

The locations for meetings will vary from month to month. To confirm attendance and location, please contact:

Ms. Colorado
941 N. Capitol St. NE, 9th Floor
Washington, DC 20002
Maytte.colorado@dc.gov
202-442-8359

**DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH
ADMINISTRATION FOR HIV POLICY AND PROGRAMS**

NOTICE OF FUNDING AVAILABILITY #1110-06

2006 Ryan White Title II

District of Columbia, Faith-Based HIV Program Initiative

The Government of the District of Columbia, Department of Health, Administration for HIV Policy and Programs is soliciting applications from qualified organizations located within Washington DC to coordinate the Faith-Based HIV Program Initiative. This organization must be licensed to conduct business within the District of Columbia and have a proven record providing technical assistance and programmatic oversight to churches related to HIV program development. The successful applicant will be responsible for providing area churches with programmatic coordination and capacity building including infrastructure development and fiscal management to support low income residents of Washington DC.

Approximately \$200,000 will be available to fund one provider during the initial capacity building phase and an additional \$400,000 during the implementation phase. This award is based on the availability of funds awarded to the District of Columbia from the Health Resources Services Administration (HRSA).

The Request for Applications (RFA) will be available for pick-up at 64 New York Avenue, NE – Suite 5001 on November 10, and on the following website www.opgd.dc.gov under District Grants Clearinghouse.

The Request for Application (RFA) submission deadline is no later than 5:00 p.m. on November 27, 2006. All applications will be recorded upon receipt. Applications submitted at or after 5:01 p.m., November 27, 2006, will not be forwarded to the review panel for funding consideration. Any additions or deletions to an application will not be accepted after the deadline of 5:00 p.m. November 27, 2006. A Pre-Application Conference will be held November 15, 2006 from 10:30 a.m. to 11:30 p.m., at the location below.

*64 New York Avenue, NE
Washington, DC 20002
5th Floor Conference Room
Phone: (202) 671-4900
E-mail: Trammell.Walters@dc.gov*

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

Notice of Availability of Public Document for Review and Comment

November 17, 2006 to December 8, 2006

**Community Development Draft Consolidated Annual Performance and Evaluation Report
(CAPER) for Fiscal Year 2006"**

Stanley Jackson, Interim Director, Department of Housing and Community Development (DHCD), announces the availability of the "District of Columbia Consolidated Draft Annual Performance and Evaluation Report for Fiscal Year 2006" (the "CAPER") for public review and comment. The purpose of the CAPER is to present the U.S. Department of Housing and Urban Development (HUD) and the public with an assessment of the District's performance in carrying out its FY 2006 (October 1, 2005-September 30, 2006) Consolidated Action Plan to use federal funds to meet priority community needs. The FY 2006 Action Plan detailed activities to be carried out by the District under the following federal entitlement programs:

- **Community Development Block Grant Program (CDBG)**
- **Home Investment Partnerships Program (HOME)**
- **Emergency Shelter Grant Program (ESG), and**
- **Housing Opportunities for Persons with AIDS Program (HOPWA)**

The CAPER is available for a 15-day public comment period before its submission to HUD on/or before December 31, 2006. The CAPER will be distributed to stakeholder organizations and will be available for review at DHCD (8th floor), on the DHCD website, all public library branches, all Advisory Neighborhood Commission Offices and at the following community based organizations from Friday, November 17 to Friday, December 8.

Housing Counseling Services, Inc.
2410 17th Street, N.W., Suite 100
(202) 667-7006

University Legal Services
3001 I Street, NE
(202) 547-4747

Marshall Heights CDO
3939 Benning Road, NE
(202) 396-1200

Latino Econ. Development Corp.
2316 18th Street, NW
(202) 588-5102

Lydia's House
3939 South Capitol Street, SW
(202) 373-1050

Central American Resources Ctr
1459 Columbia Road, NW
(202) 328-9799

University Legal Services
3220 Pennsylvania Ave., SE Suite 4
(202) 645-7175

To comment by telephone on the CAPER report, please contact Ms. Pamela Hillsman-Johnson, Community Development Resource Specialist, at (202) 442-7251, not later than close of business Friday, December 8, 2006. Please provide your name, address, telephone number, and organizational affiliation, if any. For Telecommunications Device for the Deaf (TDD) relay service, call (800) 201-7165.

Written comments for the record must be received by close of business Friday, December 8, 2006. Written statements may be mailed to: Mr. Stanley Jackson, Interim Director, DHCD, Attention: OSC, 801 North Capitol St., NE, Washington, D.C. 20002.

BOARD OF REAL PROPERTY ASSESSMENTS AND APPEALS

NOTICE OF PUBLIC MEETING

The District of Columbia Board of Real Property Assessments and Appeals will hold a public meeting on Thursday, November 16, 2006 beginning at 2:00 p.m.. The location is the Former Council Chambers 441- 4th Street, N.W. First Floor - Washington, D.C. 20001.

Members of the public who are interested in providing comments should contact Paul Strauss, BRPAA Chairperson, at (202)727-6860 or fax comments to (202)727-0392 at least 48 hours prior to the meeting.

Office of the Secretary of the
District of Columbia

October 25, 2006

Notice is hereby given that the following named persons have been appointed as Notaries Public in and for the District of Columbia, effective on or after November 15, 2006.

Abraham, Georgia A.	Rpt	Telesis Corporation 1101 30 th St, NW 4th Fl 20007
Andrews, Mary K.	Rpt	2918 15 th St, NE 20017
Barksdale, Tracy E.	New	Capital Reporting 1000 Conn Ave, NW#505 20036
Barnes, Veronica C.	New	Library of Congress/EEOC 101 Indep Ave, SE 20540
Bayer, Kathy	New	N A S A 300 E St, SW 20546
Beach, Jane W.	Rpt	Ace Federal Reporters 1120 G St, NW 20005
Bhatia, Naman	New	Travi Inc. 1380 Monroe St, NW 20010
Blagrove, Judith M.	New	Wachovia 1100 Conn Ave, NW 20036
Bliss, Lauren J.	New	U S Senate Disbursing Off SH 127 Hart Bldg 20510
Brown, Danielle Y.	New	Calibre Energy 1667 K St, NW#1230 2006
Brown, Greta L.	Rpt	Senate Federal C U P.O. Box 77920 20013

Butler-Truesdale, Sandra	Rpt	2001 15 th St,NW 20009
Butler-Truesdale, Tonya	Rpt	1240 Fairmont St,NW 20009
Callahan, Cara	New	M & T Bank 2865 Alabama Ave,SE 20020
Campbell, Darlene	Rpt	Congressional F C U P.O. Box 23267 20026
Carrasco, Michael J.	New	Stroz Friedberg 1150 Conn Ave,NW#200 20036
Chisholm, Pamela	Rpt	F M S H R C 601 N J Ave,NW 20001
Christopher, Sanjeev	Rpt	C T I A 1400 16 th St,NW#600 20036
Collins, Priscilla S.	New	2204 Savannah St,SE#201 20020
Cooper, Portia R.	New	Wachovia Bank 1700 Pa Ave,NW 20006
Crews, Renee Marie	New	1108 Oates St,NE 20002
Cummings, Traci	New	Commerce Federal C U P.O. Box 14720 20044
Curtis, Sarita J.	Rpt	D.C. Lottery Board 2101 MKL Ave,SE 20020
Danson, Therese L.	New	Martone Construction 2233 Wis Ave,NW#308 20007
Davis, Sharon	Rpt	Congressional F C U P.O. Box 23267 20026

DeGreaffenreidte, Sabrina	New	State Dept F C U 2201 C St, NW#B641 20520
De La Cruz, Ivette	Rpt	DarbyOverseas Investments 1133Conn Ave, NW#400 20036
Dews, Mary A.	New	617 Malcolm X Ave, SE 20032
Egebrecht, Julianne C.	New	Howard Univ Hospital 2041 Ga Ave, NW 20060
Ellerbe, Sharyn M.	New	Trout Cacheris 1350 Conn Ave, NW#300 20036
Enu-Royce, Stevens	Rpt	Dept Mental Health/CPEP 1905 E St, SE 20003
Epes, LaMisha D.	New	Justice Federal C U 935 Pa Ave, NW 20004
Espinoza, Manuel R.	New	Bank of America 1339 Wis Ave, NW 20007
Felipe, Ma. Esperanza A.	New	N E A 1201 16 th St, NW 20036
Freeman, Jennifer McGinnis	Rpt	Arent Fox 1050 Conn Ave, NW 20036
Galanos, Nancy	New	LeBoeuf Lamb et al 1875 Conn Ave, NW 20009
Gallmon, Shirley J.	New	320 17 th St, NE 20019
Gilkerson, Dianna H.	New	U S Senate Disbursing Off SH 127 Hart Bldg 20510
Gross, Dana T.	New	Homeland Security 950 H St, NW#3700 20223

Guilford, Courtney L.	New	Wachovia Bank 1100 Conn Ave,NW 20036
Harley, LaVonda M.	New	Paul Weiss et al 1615 L St,NW#1300 20036
Haggins, Keyonna	New	Justice Federal C U 935 Pa Ave,NW#8676 20535
Harrison, Mark L.	New	B B & T 1801AdamsMillRd,NW 20009
Henson, Deloris D.	New	Encore Legal Solutions 1225 I St,NW#500 20005
Holmes, Tricia L.	New	Capital Court Reporting 1000 Conn Ave,NW#500 20006
Ingram-White, Cheryl	Rpt	University Legal Services 220 I St,NE#130 20002
Jackson, Diane D.	Rpt	The Wilderness Society 1615 M St,NW 20036
Jackson, Lakisha M.	New	M & T Bank 2865 Alabama Ave,SE 20020
James, Gloria J.	New	3348 DuBois Pl,SE 20019
Johnson, Jacqueline L.	New	802 Adrian St,SE 20019
Johnson, Sherice C.	New	Wachovia Bank 1150 K St,NW 20005
Jones, Brigitte P.	Rpt	Blinded Veterans Assoc 477 H St,NW 20001
Jones, Lynn B.	Rpt	Envision Design 1211 Conn Ave,NW#250 20036
Jones, Mary C.	New	H S C S N 1731 BunkerHill Rd,NE 20017

Jones, Sharon D.	Rpt	Arnold & Porter 555 12 th St, NW 20004
King, John W.	New	Apex Title & Escrow 1522 K St, NW#200 20005
Kohler, Mary Ann	Rpt	Diversified Reporting 1101 16 th St, NW 20036
Kolb, Charles N.	New	Olsson Frank Weeda 1400 16 th St, NW#400 20036
LaFuente, Dolly	Rpt	Katten Muchin Rosenman 1025 ThJeff St, NW#700 20007
Lam, Karen M.	Rpt	U S/China Business Coun 1818 N St, NW#200 20036
Lefton, Brian	New	Wachovia 600 Md Ave, SW 20024
Levine, Howard Lee	Rpt	3001 Veazey Terr, NW#814 20008
Lipscomb, Stacey C.	New	Bernstein Management 5301 Wis Ave, NW#600 20015
Livingston, Wanda C.	New	FedEx Kinkos 1350 N Y Ave, NW 20005
McAllister, Clara E.	Rpt	707 Delaware Ave, SW 20024
McRae, Floria B.	New	6012 7 th Pl, NW 20011
Maldonado, Yanet R.	New	Leo A. Daly 1201 Conn Ave, NW 20036
Maxwell, Donna	Rpt	Special Olympics 1133 19 th St, NW 20036
Mickens, LaTaya	New	N I H Federal C U 2100 Pa Ave, NW 20037

Montgomery, Matthew	New	29 Randolph Pl,NW 20001
Morris, Suzi M.	New	Millennium Challenge 875 15 th St,NW 20005
Morris, Zondre	New	Akridge 601 13 th St,NW#300N 20005
Morris-Byrd, Latosha	Rpt	D. C. Housing Authority 1133 N Cap St,NE#178 20002
Moses, LaKia	New	Defender Services/Rm C215 500 Indiana Ave,NW 20001
Newton, Michael A.	Rpt	Buchanan Ingersoll Rooney 1700 k St,NW#300 20006
Nunez, Ana V.	New	Capital Breast Care Ctr 650 Pa Ave,SE 20003
Ohler-Wright, Melanie J.	Rpt	F B I/FSPU 935 Pa Ave,NW 20535
Ong, Maria Victoria F.	Rpt	DLA Piper US 1200 19 th St,NW 20036
O'Reilly, Jennifer	New	Entertainment Software 575 7 th St,NW#300 20004
Orekoya, Afolasade B.	New	Bancstar on Capitol Hill 1449 Pa Ave,SE 20003
Owens, Joyce	Rpt	Tax & Revenue/Real Prop 941 N Cap St,NE 20002
Parker, Tracey R.	New	CitiBank 1749 ½ Columbia Rd,NW 20009
Passera, Michael	New	McCullough Law Firm 1412 14 th St,NW#200 20005
Patapievicci, Ana C.	New	Bank Fund Staff F C U 1750 H St,NW 20006

Patrick, Cynthia J.	New	Justice Federal C U 935 Pa Ave,NW 20004
Patterson, Maurice A.	New	M & T Bank 2865 Alabama Ave,SE 20020
Peoples, Denise L.	New	FedEx Kinkos 1350 N Y Ave,NW 20005
Phelan, Amy E.	New	Friends of the Earth 1717 Mass Ave,NW#600 20036
Phillips, Susan C.	New	G W Univ/V P Office 2100 Pa Ave,NW#250 20052
Rai, Binnie	New	Law Off/Horace Bradshaw 1644 6 th St,NW 20001
Ribar, Teresa	New	Finkelstein Thompson 1050 30 th St,NW 20007
Rios, Maria N.	Rpt	Morgan Wingate 4910 Mass Ave,NW#110 20016
Roberts-Milligan, Marie	New	Washington Post 1150 15 th St,NW 20070
Robinson, Octavia T.	New	Commerce Federal C U P.O. Box 14720 20044
Roman, David	New	Bank of America 1339 Wis Ave,NW 20007
Roulhac, Patricia D.	Rpt	Legal Aid Society of DC 666 11 th St,NW#800 20001
St. Pierre, Marc G.	New	CT Corporation 1015 15 th St,NW#1000 20005
Sabella, Annette M.	New	James & Hoffman 1101 17 th St,NW#510 20036
Sabin, Angela K.	New	Wright & Batchelor 1901 18 th St,NW 20009

Salgado-Nealous, Tania	New	Riverside Hospital 4460 MacA Blvd, NW 20007
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Smith, Sharon A.	New	G W Univ Hospital/L & D 900 23 rd St, NW3rdFl 20037
Smith, Tony E.	New	Wachovia Bank 1800 K St, NW 20006
Snyder, Hernani	Rpt	N D I 2030 M St, NW 5 th Fl 20036
Speight, Dionne	New	M & T Bank 2865 Alabama Ave, SE 20020
Spruill, Jean C.	Rpt	D O J/Fed Bureau Prisons 320 1 st St, NW#512 20534
Stephens, Joyce L.	New	217 T St, NE 20002

Stephens, Tanisha	New	218 S St, NE 20002
Stonestreet, Rachel	Rpt	L A D Reporting 1100 Conn Ave, NW#850 20036
Thomas, Joann R.	Rpt	Office of Documents 441 4 th St, NW#520s 20001
Thomas, Rian	New	AmerCouncil/Life Insurers 101 Const Ave, NW#700 20001
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Toogood, Nyeisha	New	Bank Fund Staff F C U 1750 H St, NW3rdFl 20006
Viet, John T.	New	Wachovia Bank 5100 Wis Ave, NW 20016
Wachtel, Wendie L.	Rpt	Wachtel & Company 1101 14 th St, NW 20005
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West, Carina	New	Commerce Federal C U P.O. Box 14720 20044
Williams, Jason P.	Rpt	Bank Fund Staff F C U 1818 H St, NW 20433
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Winston, LaTonya	New	CitiBank 1775 Pa Ave, NW 20006
Witherow, Sharon L.	New	U S Senate Disbursing Off SH 127 Hart Bldg 20510
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Wye, Charlita	Rpt	D C Water & Sewer Auth 5000 Overlook Ave, SW 20032
Yancey-Willis, Jacqueline	New	Fidelity & Trust Bank 1725 I St, NW 20006
Yazdan-Panah, Dariush	New	Credit People Company 1100 H St, NW#400 20005
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**DISTRICT OF COLUMBIA COMMISSION ON
SELECTION AND TENURE OF
ADMINISTRATIVE LAW JUDGES OF
THE OFFICE OF ADMINISTRATIVE HEARINGS**

Notice Seeking Comments Regarding Reappointment of Administrative Law Judges

The Commission on Selection and Tenure of Administrative Law Judges (Commission)
Seeks Comments Regarding the Potential Reappointment of Administrative Law Judges
Wendy Moore and Roy L. Pearson.

This is to notify members of the bar and the general public, pursuant to section 3705.7 of Title 6 of the DCMR, that the Commission has begun review of the qualifications for reappointment of Administrative Law Judges Wendy Moore and Roy L. Pearson of the District of Columbia Office of Administrative Hearings. Administrative Law Judges Moore and Pearson have filed statements with the Commission requesting reappointment to ten-year terms upon the expiration of their initial two-year terms on May 2, 2007.

Section 3705.21 of Title 6 of the District of Columbia Municipal Regulations (DCMR) provides:

In deciding whether to reappoint an Administrative Law Judge, the Commission shall consider all information it has received concerning the reappointment, and the voting members shall give significant weight to the recommendation of the Chief Administrative Law Judge, unless they determine that the recommendation is not founded on substantial evidence. The Commission shall reappoint the Administrative Law Judge if it finds that the Administrative Law Judge has satisfactorily performed the responsibilities of his or her office and is likely to continue to do so.

In addition to the specific qualifications applicable to all Administrative Law Judges contained in section 3703 of Title 6 of the DCMR (*Appointment, Reappointment, Discipline, and Removal of Administrative Law Judges by the Commission on Selection and Tenure of Administrative Law Judges*), section 3703.5 of Title 6 of the DCMR states that “[a]n Administrative Law Judge shall possess judicial temperament, judgment, expertise and analytical and other skills necessary and desirable for an Administrative Law Judge.”

The Commission hereby requests members of the bar and other attorneys, litigants, interested organizations, and members of the public to submit any information bearing on the qualifications of Administrative Law Judges Moore and Pearson which it believes will aid the Commission in deciding whether to reappoint any of these Administrative Law Judges. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting information shall be kept confidential unless expressly authorized by the person submitting the information.

All communications should be received by the Commission on or before December 11, 2006 and should be mailed or delivered in a sealed envelope, marked "Confidential – ALJ Reappointments", addressed to:

Commission on Selection and Tenure of Administrative Law Judges
Office of the Administrative Hearings
District of Columbia Government
825 North Capitol Street, NE
Suite 4150
Washington, DC 20002-4210

The members of the Commission are:

Honorable Robert R. Rigsby, Chairperson
Henry W. Lavine
Peter M. Willner
Honorable Tyrone T. Butler, *ex officio*
Gail Elkins, *ex officio*

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Appeal No. 17285-A of Patrick Carome, pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of the Zoning Administrator of the Department of Consumer and Regulatory Affairs. Appellant alleges that the Zoning Administrator erred by issuing a building permit (No. B460927, dated April 23, 2004) allowing the construction of a masonry retaining wall serving a single-family dwelling. Appellant contends that the retaining wall violates the Zoning Regulations, including the side yard requirements (§ 405), rear yard requirements (§ 404), and structures in open space requirements (§ 2503). The subject premise is located within the Wesley Heights Overlay/R-1-A District and is located at 4825 Dexter Terrace, N.W. (Square 1381, Lot 806).

HEARING DATES: March 1, 2005, March 15, 2005, April 5, 2005,
May 10, 2005 and May 24, 2005

DECISION DATE: July 5, 2005

**DATE OF DECISION ON
RECONSIDERATION:** May 2, 2006

ORDER ON RECONSIDERATION

Background

On July 5, 2005, the Board of Zoning Adjustment ("Board" or "BZA") upheld the appeal of Patrick J. Carome ("Appellant"), and concluded that the Department of Consumer and Regulatory Affairs ("DCRA") and its Zoning Administrator ("ZA") had erred in issuing a building permit to construct a retaining wall to property owners and intervenors Frank and Dina Economides ("intervenors"). The Board's final order was issued on March 24, 2006, at which time the wall had already been completely constructed. On April 3, 2006, the intervenors filed a timely motion for reconsideration ("motion") of the Board's decision, and on April 10, 2006, the Appellant filed a timely response to the motion ("response"). Another intervenor in the appeal, the National Park Service ("NPS"), filed a timely responsive letter to the motion, as well as a clarification letter filed the next day.

Standard for Reconsideration

Section 3126.4 of the Zoning Regulations sets forth the standard for requesting reconsideration of a Board decision: It provides therein that "[a] motion for reconsideration should state specifically all respects in which the final decision is claimed to be erroneous, the grounds of the motion, and the relief sought." Pursuant to this provision the Board considers allegations of errors in its decision based on the record in the case.

the grounds of the motion, and the relief sought.” Pursuant to this provision the Board considers allegations of errors in its decision based on the record in the case.

The Arguments Presented

The motion for reconsideration presents two main arguments: (1) the Board’s conclusion that the retaining wall was really “an elevated platform structure” is arbitrary, capricious, and not supported by substantial evidence, and (2) the appeal was not timely. Within the first argument is a claim that the testimony of the NPS expert should be impeached, and a claim that the Board’s decision was influenced by inflammatory and irrelevant factors. Both the Appellant’s response and the NPS’s responsive letters refute these arguments.

Discussion

There is substantial evidence to support the Board's decision

The motion claims that there is not substantial evidence to support the Board’s conclusion that, due to its construction methodology and resultant characteristics, the retaining wall at issue is actually an “elevated platform structure” which violates the Zoning Regulations. The motion lists specific documents in the record wherein the stonemason, the mesa system manual (which explains the wall’s construction), the ZA, and several engineers, whose testimony was variously submitted by the Appellant, the intervenors, and DCRA, all refer to the wall at issue as a “retaining wall.” The motion cites these documents and highlights other parts of the record to support its conclusion that “there is no evidence of record by any expert that the wall is anything but a retaining wall.” (Motion at p. 5, emphasis removed)

The response counters that there is an overwhelming amount of evidence in the record supporting the Board’s conclusion that the wall at issue is actually “an elevated platform structure” constructed in violation of the Zoning Regulations. The response distinguishes the statements of the engineers, the stonemason, the mesa system manual, and the ZA which are relied on by the motion and claims that the motion takes quotes out of context. The response further points out that, when all the evidence presented to the Board is taken as a whole, it fully and substantially supports the Board’s conclusion and decision.

Upon consideration of the arguments set forth in the motion and the responses thereto, the Board finds that, contrary to movant’s assertions, its decision was based on substantial evidence in the record. The evidence relied on by the Board for its conclusion that the wall at issue is more than a retaining wall is fully set forth in the Board’s Order in its Findings of Fact and Conclusions of Law. *See*, Board Order No. 17285, *Appeal of Patrick J. Carome*. While the parties may disagree over the quality of the evidence and the amount of weight to be given to it, the order on its face sets forth the substantial evidence the Board relied on, in support of its decision. Accordingly, the Board is not persuaded that it erred in this respect.

The testimony of the NPS engineer was not impeached

The motion claims that the NPS engineer's testimony provided "the sole factual predicate for" the Board's central conclusion, (Motion at p. 4) but that this testimony should be given little or no weight because the engineer allegedly improperly relied on the 1996 Building Code rather than the 2000 International Building Code. The response acknowledges that the NPS engineer referred to the 1996 Code, but explains that this was appropriate, particularly because the 1996 Code's definition of "retaining wall" was the "working definition" relied on by DCRA in issuing the permit in question. More importantly, the response points out that the NPS engineer's conclusion that the "retaining wall" in question is a mechanically stabilized earth structure ("MSE") "was not tied in any manner to any building code." (Response at p. 5, fn #5)

Under the circumstances presented in the record, the Board accepts NPS's explanation regarding the NPS engineer's referral to the 1996 Building Code and is not persuaded that his testimony should be disregarded or given little weight. Second, even if his reference to the 1996 Code were inappropriate, the Board concurs with NPS' assessment that the engineer's "testimony relative to the 1996 BOCA code represented only one small part of his testimony to the Board, and was made in direct response to the DCRA's stated reliance on the 1996 BOCA code." (NPS responsive letter) Third, the engineer's central conclusion that the "retaining wall" at issue was actually an MSE was a result of his independent judgment and was not dependent on an analysis of the 1996 Code. Finally, and most importantly for a reconsideration analysis, the NPS engineer's testimony was not the "sole factual predicate" for the Board's decision. The Board's decision is based on a careful weighing of the record as a whole and even if the testimony of the NPS engineer were of questionable reliability, it would not merit a reconsideration of the Board's decision.

The Board's decision was not influenced by irrelevant factors

The motion claims that the Board was influenced by its knowledge of other litigation concerning the intervenors and that the Board improperly considered factors such as the size, appearance, and alleged adverse impacts of the retaining wall in question. However, the motion fails to point to anything in the Board's deliberations, vote, or decision to support these claims. The Board's grounds for its decision rest solely on the record and is set forth accordingly in its decision.

The appeal was timely

The motion claims that the appeal was untimely because no exceptional circumstances existed that would have permitted the Board to extend the 60-day time limit for filing an appeal and because such an extension severely prejudiced the intervenors.¹ The motion, however, mischaracterizes the Board's decision on timeliness. The Board did not extend the time for filing an appeal pursuant to the authority stated in § 3112.2(d). Instead, it found that the appeal was timely because the Appellant filed the appeal within 60 days of when he had notice or knowledge of the issuance of the permit for the retaining wall in question. *See*, § 3112.2(a). Therefore, there was no extension of time granted for filing the appeal and the Board was not required to consider prejudice to the intervenors. Accordingly, the Board declines to reconsider this decision..

For all of the above reasons, it is hereby **ORDERED** that the intervenors' motion for reconsideration is **DENIED**.

VOTE: 3-1-1 (Ruthanne G. Miller, John A. Mann II, and Curtis L. Etherly, Jr., by absentee ballot, to deny. Geoffrey H. Griffis opposed to denial. No Zoning Commissioner present or voting.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: OCT 27 2006

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

¹11 DCMR § 3112.2 (a) states: "[a]n appeal shall be filed within sixty (60) days from the date the person appealing the administrative decision had notice or knowledge of the decision complained of, or reasonably should have had notice or knowledge of the decision complained of, whichever is earlier."

11 DCMR § 3112.2(d) states: "[t]he Board may extend the sixty-(60) day deadline for the filing of an appeal only if the appellant demonstrates that: (1) There are exceptional circumstances that are outside of the appellant's control and could not have been reasonably anticipated that substantially impaired the appellant's ability to file an appeal to the Board; and (2) The extension of time will not prejudice the parties to the appeal, as identified in § 3199.1."

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