

DISTRICT OF COLUMBIA CHILD SUPPORT GUIDELINE COMMISSION

NOTICE OF A PUBLIC MEETING

The District of Columbia's Child Support Guideline Commission's Monthly Meeting

Thursday, April 22, 2010, at 8:00 A.M.
D.C. Office of the Attorney General, Child Support Services Division
441 4th Street, NW, Ste. 550N
Conference Room A
Washington, D.C. 20001

The District of Columbia Child Support Guidelines Commission (Commission) announces its monthly meeting in which it will discuss proposed changes to the District's Child Support Guideline (Guideline). The Commission's mission is to review the Guideline annually and to provide the Mayor with recommendations for improving the efficiency and effectiveness of the Guideline. In order to achieve its objective, and to ensure the recommendations the Commission provides to the Mayor take into account the public's concerns, it invites the public to attend its regularly scheduled monthly meeting.

Persons wishing to Review the Child Support Guideline prior to the public meeting, may access it online by visiting the District of Columbia's website at www.dc.gov.

Individuals who wish to attend should contact: Cory Chandler, Chairperson, Child Support Guideline Commission, at 202-724-2131, or by e-mail at cory.chandler@dc.gov by Monday, April 19, 2010. E-mail submissions should include the full name, title, and affiliation, if applicable, of the person(s) wishing to attend. Persons wishing to comment should send nine (9) copies of their written commentary to the Office of the Attorney General for the District of Columbia, Child Support Services Division at the address below.

Individuals who wish to submit their comments as part of the official record, should send copies of written statements no later than 4:00 p.m., Monday, April 19, 2010 to:

Cory Chandler, Deputy Director
Office of the Attorney General for the District of Columbia,
Child Support Services Division
441 4th Street, NW
550 North
Washington, D.C. 20001

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BOARD FOR THE CONDEMNATION OF INSANITARY BUILDINGS

NOTICE OF SCHEDULED MEETING

The Board for the Condemnation of Insanitary Buildings will be holding a scheduled meeting on Wednesday, April 14, 2010 at 10:00 am. The meeting will be held at 441 4th Street, NW, 11th Floor Conference Center, Washington, D.C. 20001.

Draft board meeting agendas are available on the website of the Department of Consumer and Regulatory Affairs at dcra.dc.gov, by clicking on the “Board for the Condemnation of Insanitary Buildings” tab on the main page.

For inquiries, please call the Board for the Condemnation of Insanitary Buildings at 202-442-4332 or send an email to vacantproperty@dc.gov.

**D.C. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUSINESS AND PROFESSIONAL LICENSING ADMINISTRATION**

SCHEDULED MEETINGS OF BOARDS AND COMMISSIONS

April 2010

CONTACT PERSON	BOARDS AND COMMISSIONS	DATE	TIME/ LOCATION
John McFarland	Board of Accountancy	No Meeting	8:30 am-12:00pm
Leon Lewis	Board of Appraisers	21	10:00 am-12:00 pm
Leon Lewis	Board Architects and Interior Designers	23	9:00 am-1:00 pm
Sheldon Brown	Board of Barber and Cosmetology	12	10:00 am-4:00 pm
Sheldon Brown	Boxing and Wrestling Commission	13	7:00-pm-9:00 pm
Sheldon Brown	Board of Funeral Directors	1	1:30 pm-5:00 pm
John McFarland	Board of Professional Engineering	No Meeting	9:30 am-1:30 pm
Leon Lewis	Real Estate Commission	13	10:30 am-12:30 pm
Pamela Peters	Board of Industrial Trades	20	2:00 pm-5:00 pm
	Asbestos Electrical Plumbing Refrigeration/Air Conditioning Steam and Other Operating Engineers		

Dates and Times are subject to change. All meetings are held at 1100 4th St., SW, Suite E-390 A-B Washington, DC 20024. For further information on this schedule, please contact the front desk at 202-442-4320.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF PUBLIC INTEREST

The following is a listing of raze permit applications filed with the Permit Operations Division of the Department of Consumer and Regulatory Affairs:

Application Date	Address	Lot	Square	Use
March 29, 2010	2928 Brandywine Street, NW	850	2255	Single family development
March 31, 2010	5518 Sherier Place, NW	825	1449	2-story single family development
April 2, 2010	2932 Porter Street, NW	987	2068	Single family dwelling

For further information, please contact Mr. Tyrone Thomas at the Permit Operations Division via email at Tyrone.Thomas2@dcra.gov or Ms. Cheryl Randall Thomas, Manager of the Permit Center, at (202) 442-4534.

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
OFFICE OF PUBLIC CHARTER SCHOOL FINANCING AND SUPPORT**

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL
CREDIT ENHANCEMENT FUND COMMITTEE**

NOTICE OF PUBLIC MEETING CANCELLATION

The Office of the State Superintendent of Education hereby announces that the District of Columbia Public Charter School Credit Enhancement Fund Committee will NOT hold the April 15, 2010, monthly public meeting.

For additional information, please contact: Faida Fuller, Program Officer, Office of the State Superintendent of Education; 810 First Street, NW, 9th Floor, Washington, D.C. 20002; Tel: 202-442-4022; Fax: 202-727-2019 or email at Faida.fuller@dc.gov.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY

Early Childhood Higher Education Scholarship Program

The District of Columbia Office of the State Superintendent of Education (OSSE) Division of Early Childhood Education (ECE) is responsible for coordinating early childhood education services to District of Columbia children and their families.

Request for Application:

OSSE will issue a Request for Application (RFA) to fund one (1) grant to support early childhood educators seeking higher education degrees. The grantee will be responsible for:

- Recruiting and establishing relationships with OSSE-approved colleges and universities;
- Recruiting scholarship recipients and their employers;
- Supporting scholarship recipients from the application to course completion and degree attainment;
- Seeking additional funds to support the scholarship program;
- Tracking scholarship recipients' progress and other related data in "real time";
- Ensuring that participants meet the scholarship retention requirements;
- Tracking scholarship recipients' retention goals and other related data in "real time";
- Ensuring that meaningful incentives are awarded to scholarship recipients;
- Tracking incentives and other related data in "real time"; and
- Maintaining a T.E.A.C.H. Early Childhood ® license from the Child Care Services Association at the time of the grant award and through the duration of the grant.

Funds up to \$700,000.00 are available to support the grant awarded under this RFA. One hundred percent (100%) of the funding is made available from the U.S. Department of Health and Human Services (DHHS), Administration for Children and Families (ACF) Child Care and Development Fund (CCDF).

Applicants must be a nonprofit organization licensed to do business in the District of Columbia. Applicants must have knowledge of the professional needs of the early childhood workforce in the District of Columbia, as demonstrated through prior experience in working with early childhood stakeholders, exposure to the demographic issues in the District, and familiarity with the higher education landscape and relevant resources necessary to further the objectives of this grant. Applicants cannot have a direct relationship with, or be a part of, any local early childhood program or higher education institution.

Important Dates:

The Request for Application (RFA) will be available on April 14, 2010. Applications may be obtained from the Office of Partnerships and Grants Development Web site (www.opgd.dc.gov) at the District Grants Clearinghouse link. Applications may also be obtained from Ms. Sandra McIver, Grants Management Specialist for ECE, 717 14th Street, NW, 12th Floor, Washington, DC 20005. Please call (202) 727-8104.

The RFA application deadline is May 20, 2010.

A Pre-Application Conference will be held on Thursday, May 6, 2010, from 2:00 p.m. to 4:00 p.m. at 717 14th Street, NW, 8th Floor Conference Room, Washington, DC 20005. For planning purposes, please RSVP to Ms. Sandra McIver at (202) 727-5045 or sandra.mciver@dc.gov. if you plan to attend the planning conference.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**NOTICE OF FUNDING AVAILABILITY****IN-HOME AND RELATIVE PROVIDER MONITORING AND TECHNICAL ASSISTANCE**

The District of Columbia Office of the State Superintendent of Education (OSSE), Division of Early Childhood Education (ECE) is responsible for coordinating early childhood education services for District of Columbia children and their families.

Request for Application

OSSE will be issuing a Request for Application (RFA) to fund one (1) grantee for a project directed at improving the services delivered by in-home and relative child care providers who participate in the OSSE Child Care Subsidy Program (CCSP). Funds up to \$150,000.00 are available to support the grant to be awarded under this RFA. To be eligible for this grant award, applicants must be licensed to do business in the District of Columbia and must be certified by the District of Columbia Professional Development System for Early Childhood Professionals or agree to become certified within six (6) months of the award. The grantee will be expected to improve the services given by the in-home and relative providers to improve the development and school-readiness of the children in their care through provider training, monitoring, networking, and newsletters.

Important Dates

The Request for Application (RFA) will be available on April 14, 2010. Applications may be obtained from the Office of Partnerships and Grant Services website (www.opgs.dc.gov) at the District Grants Clearinghouse link. Applications may also be obtained from Ms. Sandra McIver, Grants Management Specialist, 717 14th Street, NW, 12th Floor, Washington, DC 20005 at (202) 727-5045 or sandra.mciver@dc.gov. The RFA application deadline is May 27, 2010.

A Pre-Application Conference will be held on Thursday, May 6, 2010, from 10:00 a.m. to 12:00 noon at 717 14th Street, NW, 8th Floor Conference Room, Washington, DC 20005. For preparation purposes, interested parties planning to attend the Pre-Application Conference are requested to RSVP to Ms. Sandra McIver at (202) 727-5045 or sandra.mciver@dc.gov.

Background

Child care services in the District of Columbia are provided in homes by family members and relatives as well as in child care facilities. For many low-income District of Columbia residents, in-home child care or child care by a relative is more affordable and, in some cases preferred. However, in-home child care and relative child care providers may lack the skills, training, and knowledge required to nurture children's physical, social, emotional and intellectual growth. Many of the license-exempt in-home or relative child care providers are not aware of the resources and the network available to them. Consequently, these children may not be receiving the quality of care that is needed.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**NOTICE OF FUNDING AVAILABILITY****Pediatric Cardiopulmonary Resuscitation (CPR) and First Aid Training**

The District of Columbia Office of the State Superintendent of Education (OSSE), Division of Early Childhood Education (ECE) is responsible for coordinating early childhood education services for District of Columbia children and their families.

Request for Application:

OSSE will be issuing a Request for Application (RFA) to fund one (1) grantee to provide CPR and first aid training to persons working with licensed child development centers and in-home and relative care providers. Priority will be given to individuals working with: facilities that participate in the OSSE Child Care Subsidy Program, in-home and relative providers, and individuals who participate in OSSE funded Child Development Associate (CDA) training. Eligible applicants include private or public entities, nonprofit organizations or faith-based organizations located and licensed to do business in the District of Columbia. Funds up to \$150,000.00 are available to support the grant to be awarded under this RFA.

Important Dates:

The RFA will be available on April 14, 2010. Applications may be obtained from the Office of Partnerships and Grant Services website (www.opgs.dc.gov) at the District Grants Clearinghouse link. Applications may also be obtained from Ms. Sandra McIver, Grants Management Specialist, 717 14th Street, NW, 12th Floor, Washington, DC 20005 at (202) 727-5045 or sandra.mciver@dc.gov. The RFA application deadline is May 27, 2010.

A Pre-application Conference will be held on Thursday, May 6, 2010, from 3:00 to 5:00 p.m., at 717 14th Street, NW, 8th Floor Conference Room, Washington, DC 20005. For preparation purposes, interested parties planning to attend the Pre-Application Conference are requested to RSVP to Ms. Sandra McIver at (202) 727-5045 or sandra.mciver@dc.gov.

HOWARD ROAD ACADEMY**REQUEST FOR PROPOSALS****Computers, IT equipment and Software Contract**

The Howard Road Academy and its management firm, Mosaica Education, Inc., invite proposals for procurement of computer systems, IT equipment, and software for 2010-11. Proposals are to be received by Mosaica Education, 42 Broadway, Suite 1039, New York, NY 10004, on **April 26th** and not later than **2:00 pm**. Bid specifications may be obtained at the school, at www.mosaicaeducation.com, or by contacting Adam Boudreaux tel. 404.841.2305 ext. 1040. Any technical questions regarding this bid must be submitted in writing to aboudreaux@mosaicaeducation.com before the RFP deadline.

HOWARD ROAD ACADEMY**REQUEST FOR PROPOSALS****Furniture, Fixtures, and Equipment Contract**

The Howard Road Academy and its management firm, Mosaica Education, Inc., invite proposals for procurement of furniture, fixtures, and equipment for 2010-11. Proposals are to be received by Mosaica Education, 42 Broadway, Suite 1039, New York, NY 10004, on **April 26th** and not later than **2:00 pm**. Bid specifications may be obtained at the school, at www.mosaicaeducation.com, or by contacting Carla Holder tel. 212.232.0305 ext. 228. Any questions regarding this bid must be submitted in writing to cholder@mosaicaeducation.com before the RFP deadline.

HOWARD ROAD ACADEMY**REQUEST FOR PROPOSALS****Office and Instructional Supplies Contract**

The Howard Road Academy and its management firm, Mosaica Education, Inc., invite proposals for procurement of office and instructional supplies for 2010-11. Proposals are to be received by Mosaica Education, 42 Broadway, Suite 1039, New York, NY 10004, on **April 26th** and not later than **2:00 pm**. Bid specifications may be obtained at the school, at www.mosaicaeducation.com, or by contacting Carla Holder tel. 212.232.0305 ext. 228. Any questions regarding this bid must be submitted in writing to cholder@mosaicaeducation.com before the RFP deadline.

HOWARD ROAD ACADEMY**REQUEST FOR PROPOSALS****Paragon Consumables Kits Contract**

The Howard Road Academy and its management firm, Mosaica Education, Inc., invite proposals for procurement of Paragon consumables kits for 2010-11. Proposals are to be received by Mosaica Education, 42 Broadway, Suite 1039, New York, NY 10004, on **April 26th** and not later than **2:00 pm**. Bid specifications may be obtained at the school, at www.mosaicaeducation.com, or by contacting Carla Holder tel. 212.232.0305 ext. 228. Any questions regarding this bid must be submitted in writing to cholder@mosaicaeducation.com before the RFP deadline.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA**APPOINTMENTS OF NOTARIES PUBLIC**

Notice is hereby given that the following named persons have been newly appointed as Notaries Public in and for the District of Columbia, effective on or after April 15, 2010.

Comments on these appointments should be submitted, in writing, to Granville M. Woodson, Director, Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on March 26, 2010. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: April 15, 2010
Page 2

Asaam	John A.	Citibank 5250 MacArthur Boulevard, NW	20016
Ayres	Pamela J.	National Museum of Women in the Arts 1250 New York Avenue, NW	20005
Bailey	Ryan	Latino Economic Development Corporation 2316 18th Street, NW	20009
Bennett	Ronald E.	Gore Brothers Video & Reporting Company 1025 Connecticut Avenue, NW, Suite 1000	20036
Bentick	Denise O.	Tilden Gardens, Incorporated 3000 Tilden Street, NW	20008
Berg	Ralph Christian	Citizens United 1006 Pennsylvania Avenue, SE	20003
Biles	Ora L.	Law Office of John M. Fedders 1914 Sunderland Place, NW	20036
Berry	Janice J.	District of Columbia Public Schools 1200 First Street, NE, Room 1045J	20002
Borja	Christina	Self 1119 Fifth Street, NE, Unit 1	20002
Botchway Jr.	Ebenezer A.	Kriegsfeld Corporation 415 Butternut Street, NW, Suite T-1	20012
Boyd	Sidney B.	Citibank 5250 MacArthur Boulevard, NW	20016
Brezina	Kathy J.	United States Secret Service 950 H Street, NW	20223
Brockway	Nicholas A.	M&T Bank 1680 K Street, NW	20006
Brooks	David	Akin Gump Strauss Hauer & Feld, LLP 1333 New Hampshire Avenue, NW	20036

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: April 15, 2010
Page 3

Brown	Jvandia L.	Powers Pyles Sutter & Verville, PC 1501 M Street, NW, 7th Floor	20005
Brown	Tony M.	The Madison, A Loews Hotel 1177 15th Street, NW	20005
Bynum-Hinton	Arellia Lisa	Eagle Bank 1044 Wisconsin Avenue, NW	20007
Carnahan	Terri L.	Troutman Sanders, LLP 401 9th Street, NW	20004
Carson	Tia M.	Ritz-Carlton 1111 23rd Street, NW	20037
Chance	Jenette Marie	Self 107 Q Street, NW #302	20001
Coumarbatch	Elmira Evans	Fannie Mae 4000 Wisconsin Avenue, NW	20016
Crump	Betrotious A.	Correctional Treatment Facility 1901 E Street, SE	20003
DaCosta	Josephine	Winston & Strawn 1700 K Street, NW	20006
Davillier	Faheemah	Public Defender Service for the District of Columbia 633 Indiana Avenue, NW	20004
Davis	Mabel E.	District of Columbia Public Schools 1200 First Street, NE	20002
dela Rosa	Geneen	Center for Community Change 1536 U Street, NW	20009
Desormeaux	Shirl L.	Dept. of Commerce Federal Credit Union 1401 Constitution Avenue, NW, HCH Building, Room B818	20230
Duncan	Yasmin M.	Venable LLP 575 7th Street, NW	20004

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: April 15, 2010
Page 4

Esparza	Alvaro L.	IDB IIC Federal Credit Union 1300 New York Avenue, NW	20577
Estrada-Gonzalez	Edna Griselle	Arnold & Porter, LLP 555 12th Street, NW	20004
Evans	Yvette R.	Amalgamated Transit Union International 5025 Wisconsin Avenue, NW	20016
Fauntroy	A. Kathryn Callwood	Adduci, Mastriani & Schaumberg, LLP 1200 17th Street, NW	20036
Fribush	Susan	Overseas Private Investment Corporation 1100 New York Avenue, NW	20527
Garner	Hilary J.	Roetzel & Andress, LPA 1300 Eye Street, NW, Suite 400 East	20005
Garrett	Charity P.	Manatt, Phelps & Phillips LLP 700 12th Street, NW, Suite 1100	20005
Golkow	Linda	Golkow Technologies Incorporated Washington Metro Center 1200 G Street, NW, Suite 800	20005
Gray	Jean B.	Office of Thrift Supervision 1700 G Street, NW	20552
Green	Ikea L.	Sun Trust Bank, Incorporated 2845 Alabama Avenue, SE	20020
Grimes	Olivia A.	Pepco Holdings, Incorporated 701 9th Street, NW	20068
Hamlett	Quen Tina Y.	Self 320 13th Street, NE	20002
Howard	Kimberly M.	Self 1436 Meridian Place, NW, #1	20010
Iqbal	Melissa	Management Systems International 600 Water Street, SW	20024

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: April 15, 2010
Page 5

James	Shirley Linda	Self 841 Oglethorpe Street, NE	20011
John	Charlene C.	BuckleySandler, LLP 1250 24th Street, NW, Suite 700	20037
Jones	Damara Renee	Atlantic Trust Private Wealth Management 575 7th Street, NW, Suite 450	20004
Kim	Jenny	Koch Companies Public Sector, LLC 600 14th Street, NW Suite 800,	20005
Labbe	Claude R.	Self 1214 Linden Place, NE	20002
Lasso	Ricardo A.	Lasso & Lasso, PC 4530 Wisconsin Avenue, NW, Suite 220	20016
Lehner	Sharon	Davis & Harman, LLP 1455 Pennsylvania Avenue, NW, Suite 1200	20004
Martin	Jasmine M.	Agriculture Federal Credit Union 1800 M Street, NW, Suite 3092	20036
Martinez	Lorena	Paul Cofer Insurance Agency 7414 Georgia Avenue, NW, Suite 2	20012
Mathews	Jonathan	PNC Bank, NA 1100 H Street, NW	20005
McClure	Marion Lee	Anti-Slavery International, Inc DBA Free the Slaves 1320 19th Street, NW, Suite 600	20036
McQueen	Nicole E.	Navy Federal Credit Union 9th & M Street, SE, Building 218	20734
Meyer	Jana	Foundry United Methodist Church 1500 16th Street, NW	20036
Michaelsen	Carol L.	K & L Gates 1601 K Street, NW	20006

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: April 15, 2010
Page 6

Mitchell	Patricia Ellis	Columbia Enterprises 1018 7th Street, SE	20003
Moran	Sean Thomas	BuckleySandler, LLP 1250 24th Street, NW	20037
Moses	Blossom	PNC Bank 1100 H Street, NW	20005
Nguyen	Rosemary	Law Offices of Duane O. King, PC 1211 Connecticut Avenue, NW, Suite 506	20036
O'Brien	Daphne V.	Anybill Financial Services, Incorporated 805 15th Street, NW, Suite 700	20005
Orleans-Gaines	Wilhelmina	W.C. & A.N. Miller, A Long and Foster Company 4910 Massachusetts Avenue, NW, Suite 119	20016
Ortiz	Judy	Goulston & Storrs, PC 2001 K Street, NW, 11th Floor	20006
Peckham	Mark S.W.	The Army and Navy Club 901 17th Street, NW	20006
Poston	Phyllis A.	Board of Governors of the Federal Reserve System 20th & C Streets, NW	20551
Reynolds	Cora J.	Self 909 44th Street, NE	20019
Ricks	Tanya L.	DC Government Office of the Chief Financial Officer, Human Resources 941 North Capitol Street, NE	20002
Ridley	Mary L.	Self 745 Delaware Avenue, SW	20024
Rieckhof	Alexandra	IDB-IIC Federal Credit Union 1300 New York Avenue, NW	20577

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: April 15, 2010
Page 7

Ross	Jenise S.	Quality Trust for Individuals with Disabilities 5335 Wisconsin Avenue, NW, Suite 825	20015
Samuels	Elizabeth I.	Finnegan 901 New York Avenue, NW	20001
Saunders	Patricia K.	Capitol Skyline Hotel 10 I Street, SW	20024
Scalley	Wendy Jo	DLA Piper LLP, (US) 500 8th Street, NW	20004
Schach	Jessica N.	BuckleySandler, LLP 1250 24th Street, NW, Suite 700	20037
Scott	Sheilah D.	Washington, DC Association of Realtors 500 New Jersey Avenue, NW, Suite 310	20001
Sebo	Cindy L.	Capital Reporting Company 1821 Jefferson Place, NW, 3rd Floor	20036
Thompson	Angela	G.C.S., Incorporated 3020 Yost Place, NE	20018
Tillman	Rita E.	Eagle Bank 1425 K Street, NW	20005
Toler	Antionette	Embassy Suites 1250 22nd Street, NW	20037
Troutman	Diane L.	EOP Group, Incorporated 819 7th Street, NW, 4th Floor	20001
Tsolakidis	Philip	American Association for the Advancement of Science 1200 New York Avenue, NW	20005
Tynes	Lillian L.	Fraternal Order of Police, Department of Corrections (Labor Union Committee) 711 4th Street, NW	20001

D.C. Office of the Secretary
Appointments of Notaries PublicEffective: April 15, 2010
Page 8

Vetter	Raymond M.	Heritage Reporting Corporation 1220 L Street, NW, Suite 600	20005
Watkins	Susan E.	Franck & Lohsen, Architects, Incorporated 1715 N Street, NW	20036
Wesley	Rhoda W.	Young America Works PCS Vocational High School 6015-17 Chillum Place, NE	20011
Wheeler Allen	Glenda M.	Answer Title 10 G Street, NE, Suite 510	20002
White	Emani Claudette	Wendy H. Schwartz and Associates, PLLC 818 Connecticut Avenue, NW, Suite 315	20006
Worrells	Christopher T.	RiniCoran, PC 1140 19th Street, NW, Suite 600	20005
Wyse	Philip G.	Adams National Bank 1130 Connecticut Avenue, NW, Suite 200	20036
Yates	Carlton	Bank of America 4301 49th Street, NW	20016
Young	Vaughnetta P.	DC Department of Health / Addiction Prevention and Recovery Administration 1300 First Street, NE	20002
Zelaya	Cindy	Elio Brothers Services, Incorporated 1818 New York Avenue, NE, Suite 116	20002

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

Appeal No. 17966 of Stephen Bruce, pursuant to 11 DCMR §§ 3100 and 3101, from a determination of the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, to allow the conversion of a nonconforming one-family detached dwelling by adding an apartment within the garage in the R-1-A District at premises 2709 31st Street NW (Square 2125, Lot 815).

HEARING DATE: October 20, 2009

DECISION DATE: October 20, 2009

DECISION AND ORDER DISMISSING APPEAL

On April 28, 2009, this appeal was filed by Stephen Bruce (“Appellant”) challenging two decisions by the Zoning Administrator (“ZA”) of the District of Columbia Department of Consumer and Regulatory Affairs. The decisions which the Appellant claimed to be appealing were made on April 7, 2009 and April 17, 2009. Both “decisions” were statements by the ZA to the Appellant reassuring him that the ZA had not made any errors in issuing Building Permit No. B0903245. Permit No. B0903245 had been issued on February 11, 2009 to allow the Appellant’s neighbor, at 2709 31st Street NW (“subject property”), to “change [a] garage to one bedroom.” Exhibit No. 23, Attachment.

The Board held a public hearing on the appeal on October 20, 2009, and concluded that it had not been filed in a timely manner. Therefore, the Board voted 3-0-2 to dismiss the appeal as untimely.

PRELIMINARY MATTERS

Notice of Appeal and Notice of Hearing. By memoranda dated April 28, 2009, the Office of Zoning (“OZ”) provided notice of the filing of the appeal to the ZA at the D.C. Department of Consumer and Regulatory Affairs (“DCRA”), the Appellee herein, the D.C. Office of Planning, Advisory Neighborhood Commission (“ANC”) 3C, the ANC within which the subject property is located, Single Member District 3C08, and the Council Member for Ward 3. Pursuant to 11 DCMR § 3112.14, OZ published notice of the hearing on the appeal in the *D.C. Register*, and, on July 24, 2009, provided such notice to the Appellant, the ZA, and ANC 3C.

Requests for Party Status. Consistent with 11 DCMR § 3199.1, the parties in this proceeding were the Appellant, DCRA, the owner of the subject property, and ANC 3C. There were no requests for party status.

ANC Report. ANC 3C filed a letter with the Board dated October 8, 2009, in which it discussed the issues on appeal, but took no position on the merits of the appeal. The ANC letter

BZA APPEAL NO. 17966**PAGE NO. 2**

emphasized that mistakes may have been made in the past with regard to construction at the subject property, leading to the concerns expressed in this appeal, but the ANC made no recommendation as to whether the appeal should or should not be granted. Exhibit No. 22.

FINDINGS OF FACT

1. The property that is the subject of this appeal is located at address 2709 31st Street NW, Square 2125, Lot 0815, in an R-1-A zone district.
2. On the subject property is a detached one-family dwelling that was built in 1941 and is nonconforming as to lot area.
3. Also on the subject property is a garage, part of whose eastern side wall is a party wall shared with the dwelling.
4. On February 11, 2009, DCRA issued Building Permit No. B0903245 to the owner of the subject property, permitting it to “change the garage to one bedroom.” Exhibit No. 23, Attachment.
5. On February 12 or February 13, 2009, the permit was posted on the outside of the large gate in front of the garage. The postings therefore faced 31st Street and would have been visible to a person from the street when the gate was closed.
6. Demolition work, including the removal of the garage door, began on the property on February 18, 2009, and a dumpster was first on-site on February 19, 2009, then removed, and replaced with a new one on February 26, 2009.
7. On February 26, 2009, supplies were dropped off at the subject property and on February 27, 2009, the concrete floor of the garage was jack-hammered to allow the placement of plumbing materials and the installation of new floor joists.
8. The Appellant lives next door to the subject property, at 2701 31st Street NW, and occasionally parks his car on 31st Street within sight of the subject property or walks his dog in front of the subject property.
9. On February 27, 2009, the Appellant entered the subject property and looked at the posted permit, from which he copied DCRA’s telephone number.
10. The Appellant called DCRA on February 27, 2009 to complain that, in his opinion, the work on the subject property was in violation of the Zoning Regulations.
11. Sometime between February 27, 2009 and March 11, 2009, DCRA sent a Zoning Inspector to the subject property.

BZA APPEAL NO. 17966**PAGE NO. 3**

12. On March 11th, the Inspector told the Appellant that the plans had been approved by the ZA, and that same day, the Appellant contacted the ZA by e-mail, expressing his opinion that the construction at the property was improper. Exhibit No. 2, Attachment No. 2.
13. On March 11, 2009, the ZA replied to the Appellant and referred the matter to DCRA's enforcement staff for another inspection.
14. On March 27, 2009, DCRA's Zoning Enforcement Officer replied to the Appellant and informed him that the property had been inspected and no violations had been found. Exhibit No. 2, Attachment No. 4.
15. The Enforcement Officer visited the property again on March 29, 2009, and while on-site, discussed the work being done with the Appellant.
16. On April 7, 2009, the Enforcement Officer e-mailed the Appellant and reiterated that the ZA found no zoning violations at the property. Exhibit No. 2, Attachment No. 5.
17. On April 17, 2009, the Enforcement Officer again e-mailed the Appellant and informed him that an inspection had not turned up any evidence that the garage on the property was to be used as an accessory apartment. On that same date, the Enforcement Officer also informed the Appellant of his appeal rights and venues. Exhibit No. 2, Attachment No. 6.
18. The Appellant filed this appeal with the Office of Zoning on April 28, 2009. Exhibit No. 5.

CONCLUSIONS OF LAW

The Board is authorized by Section 7 of the Zoning Act of 1938, D.C. Official Code § 6-641.07(g)(2) (2001), to hear and decide appeals where it is alleged by the appellant that there is error in any decision made by an administrative officer in the administration of the Zoning Regulations. Pursuant to 11 DCMR § 3112.2(a), an appeal must be filed within 60 days of the date the person appealing an administrative decision interpreting the Zoning Regulations had notice or knowledge of the decision complained of, or reasonably should have had such notice or knowledge, whichever is earlier. The Board may extend this 60-day deadline if unanticipated exceptional circumstances outside the appellant's control impaired his ability to file the appeal and no party will be prejudiced. 11 DCMR § 3112.2 (d). If, however, the Board finds an appeal to have been filed in an untimely manner, the Board lacks jurisdiction to hear it. *Economides v. D.C. Bd. of Zoning Adjustment*, 954 A.2d 427, 434-435 (D.C. 2008); *Waste Mgmt. of Md., Inc. v. D.C. Bd. of Zoning Adjustment*, 775 A.2d 1117, 1121 (D.C. 2001).

There is also consistent precedent of this Board that once a building permit is issued, no subsequent communication from DCRA may be appealed unless it contains a new decision. *See, BZA Order, Appeal No. 16982 of J. Brendan Herron, Jr. and ANC 3F*, 52 DCR 3904 (2005);

BZA APPEAL NO. 17966**PAGE NO. 4**

BZA Order, Appeal No. 17411 of Paul A. Basken and Joshua S. Meyer, 53 DCR 2495 (2006), affirmed, Basken v. D.C. Bd. of Zoning Adjustment, 946 A.2d 356 (D.C. 2008).

The decisions ostensibly on appeal here are those made by the ZA, through the DCRA Enforcement Officer, dated April 7, 2009, and April 17, 2009. Those “decisions,” however, were not really decisions, but merely affirmations of the decision made by the issuance of the building permit on February 11, 2009. The April 7th and 17th statements by the Enforcement Officer reiterated what had to have already been determined by the ZA – that the issuance of the permit on February 11, 2009 would not result in construction or a use not permitted by the Zoning Regulations. The real decision on appeal is the decision to issue the building permit, which allowed the conversion of the garage on the subject property into a bedroom. This decision was made on February 11, 2009, with the issuance of the permit.

The Board concludes that the Appellant knew or should have known of the permit issuance at some point between February 13th, when the permit was posted on the property, and February 18, when actual demolition work began there. The Appellant lives immediately next door to the subject property, sees it daily, and should have been aware of these activities during this period. Even using the latest date of February 18th as the starting point for computing the 60-day period, the appeal would still be untimely filed. The 60th day under this scenario would have fallen on April 19th and the appeal was filed nine days later on April 28th.

The Board cannot extend this time period because there is no evidence that exceptional circumstances outside of the Appellant’s control prevented him from filing the appeal by April 19th, nor has he argued that this was the case. The Board is therefore bound to find the filing of the appeal untimely, and because untimeliness divests the Board of jurisdiction, the appeal must be dismissed. *Waste Mgt. of Md., Inc., 775 A.2d at 1121.*

The Board is required to give “great weight” to issues and concerns raised by ANC 3C in this proceeding. D.C. Official Code § 1-309.10(d). Great weight means acknowledgement of the ANC’s issues and concerns and an explanation of why the Board did or did not find its views persuasive. ANC 3C states in a general way that it “objects to the incidence of illegal construction,” and that some of the issues in this appeal “should have been resolved in 2001” when earlier construction was done to the subject garage. Exhibit No. 22. The ANC did not, however, make a recommendation as to the merits and, even if it had, the recommendation would not have been legally relevant because the Board disposed of the appeal on a procedural basis. *See, Concerned Citizens of Brentwood v. District of Columbia Bd. of Zoning Adjustment, 634 A.2d 1234, 1241 (D.C. 1993) (great weight requirement extends only to issues and concerns that are legally relevant).*

For the reasons stated above, the Board, on its own motion, hereby **ORDERS** that this appeal from the February 11, 2009 issuance of Building Permit No. B0903245, and from the subsequent April 7, and April 17, 2009 affirmations of that issuance, be **DISMISSED**.

BZA APPEAL NO. 17966

PAGE NO. 5

VOTE: 3-0-2 (Marc D. Loud, Meridith H. Moldenhauer, Anthony J. Hood, to Dismiss; Shane L. Dettman not present, not voting; one Mayoral appointee (vacant) not participating)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of Board members approved the issuance of this order.

FINAL DATE OF ORDER: MARCH 30, 2010

PURSUANT TO 11 DCMR § 3125.6, THIS DECISION AND ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

LM