
Government of the District of Columbia



Department of Consumer and Regulatory Affairs

Testimony of

Linda K. Argo
Director
on the

***“Demolition or Raze Permit Community
Notification Amendment Act of 2009”***
Bill 18-134

Council of the District of Columbia
Committee on Public Services and Consumer Affairs
Muriel Bowser, Chair

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Room 120
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004
11:30 A.M.

Good morning, Chairperson Bowser, members, and staff of the Committee on Public Services and Consumer Affairs. I am Linda Argo, Director of the Department of Consumer and Regulatory Affairs. With me is Lennox Douglas, division chief of the DCRA Permits Operation Division. We're here today to testify on Bill 18-134, the "Demolition or Raze Permit Community Notification Amendment Act of 2009."

DCRA's fundamental mission is to protect the health, safety, economic interests and quality of life of District of Columbia residents, businesses, and visitors by ensuring code compliance and regulating businesses. DCRA meets this mission by issuing licenses and permits; conducting inspections; enforcing building, housing, and safety codes; regulating land use and development; and providing consumer education and advocacy services.

Bill 18-134 would amend Section 105A of Title 12A of the District of Columbia Municipal Regulations, more commonly known as the Construction Codes. The bill would create a new subsection 105.1.7.3 which would require a building owner to post a notice, sign, or placard provided by DCRA on either the main entrance to the building to be razed or another place on the premises designated by DCRA. The placard would need to be visible from the street and would have to be posted at least 30 days before DCRA takes any action on the raze permit application.

Let me briefly describe DCRA's raze permit application and review process.

When an applicant submits a raze permit application, we review the application to make sure it is complete and correctly filled out. We then provide the applicant with clearance letters that must be reviewed and signed off by a dozen government agencies or offices:

- DCRA Construction Inspection;
- DCRA Plumbing Inspection;
- DCRA Zoning Administration;
- District Department of the Environment Asbestos Abatement;
- District Department of the Environment Soil Erosion Control;
- Department of Health Vector Control (rat abatement);
- District Department of Transportation Public Space;
- Office of Planning – Historic Preservation Review Board;

- Rental Accommodations and Conversion Division (for residential properties);
- Pepco;
- Verizon;
- Washington Gas; and
- WASA.

Additionally, an applicant must provide proof of general liability insurance coverage in the amounts of \$100,000 for bodily injury, \$100,000 for property damage, and \$300,000 for aggregate coverage.

I have attached to my written testimony a copy of the DCRA raze permit application.

After DCRA receives the application, we send a notice of the raze permit application by first-class mail to the affected Advisory Neighborhood Commission. The ANC has 30 days from receipt of this notice to review the raze application, respond in writing to DCRA with any concerns, issues, or questions, and notify the affected neighbors.

If no District agency has any issues with the application and the ANC does not respond to the notice within 30 days, then DCRA issues the raze permit. To give you some idea on the number of raze permits we issue: so far in FY 2009, we have issued 54; for the latter half of FY 2008, we issued 65 (previously, we did not separately track raze permits). This is in comparison to the 5,264 building permits we have issued to date in FY 2009.

In addition to providing notice to the affected ANC, we also publish a notice every two weeks in the D.C. Register of raze permit applications we have received. The published notice contains the application date, the address and description of the building to be razed, and the square and lot numbers. The notice also contains the DCRA Permit Center contact information for addressing any questions related to the raze permit application.

Copies of some recent notices published in the D.C. Register are attached to my written testimony.

Additionally, a list of all approved building permits, broken down by month, is found on the DCRA website and is easily accessible to the public.

We believe Bill 18-134 furthers DCRA's efforts at providing timely and relevant information to affected local communities. Although we are fully supportive of such regulatory efforts, we believe the bill requires some additional fine-tuning and clarification.

One of our concerns is regarding the 30-day time period for posting the placard before DCRA can take action on the raze permit application. As I mentioned, after we receive a raze permit application, we then send notice to the affected ANC. The ANC then has 30 days to review the application before we can take action. We believe both 30-day periods should overlap so there is no confusion among the affected neighbors, the ANC, and the raze permit applicant about when DCRA can take action on the application.

We are also concerned that some may misinterpret the placard as creating some new legal right for neighbors. Our interpretation of the bill's intent is that it is meant only to provide information to surrounding neighbors of a raze permit application having been filed. Clarification of this issue would assist all involved in and affected by the raze application process.

A final concern is that the bill clarify that in those cases where an emergency razing is necessary due to structural or safety issues, the posting of a placard is not required.

We believe each of these issues can be resolved so that the raze permit application process is easy to comprehend and clearly lays out the requirements for full compliance. We look forward to working with you and your staff in fine-tuning the bill.

Chairperson Bowser, thank you for providing us this opportunity to testify on Bill 18-134. My staff and I are prepared to answer any questions you may have at this time.