



**Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3/4G**

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**ANC 3/4G Testimony Before the
Committee of the Whole
Performance Oversight Hearing on the
Department of Consumer and Regulatory Affairs
March 18, 2021**

Chairperson Mendelson and Councilmembers, I am Randy Speck, Chair of ANC 3/4G (Chevy Chase, Barnaby Woods, and Hawthorne). Thank you for the opportunity to testify today about the performance of the Department of Consumer and Regulatory Affairs (DCRA). I am testifying on behalf of our Commission, which authorized this testimony at its March 8, 2021 meeting by a vote of 7 to 0 (a quorum being 4).

As we testified at last year's oversight hearing,¹ for two years, DCRA has been unable to resolve concerns about a house that has been gutted and abandoned by its

¹ ANC 3/4G Testimony Before the Committee of the Whole Performance Oversight Hearing on the Department of Consumer and Regulatory Affairs, March 5, 2020, available at <https://bit.ly/36isNro>.

owner/developer. This once desirable house at Military Road, NW and 29th Street, NW has become a blight and an eyesore. More importantly, at a time when the District needs more housing stock, it sits empty, deteriorating to the point that it may become unsalvageable. To the extent that DCRA lacks an effective statutory remedy, we ask the Council to enact a legislative solution.

To briefly recap the history, DCRA issued a permit for “interior renovation only” in February 2019, and the owner/developer began demolishing the interior of the house, completely gutting it to the studs and removing all of the windows. After this initial spurt of activity, all work stopped in April 2019, and has never resumed. The property has steadily deteriorated since then.

In September 2019, DCRA’s Program Manager, Vacant Building Enforcement, reported to the ANC that DCRA had classified the building as vacant, that it would conduct a follow-up investigation of the property, and that it was levying the maximum possible fines against the property owner.² DCRA said that it would make the property weather-tight and that multiple liens had been placed on the property. DCRA reported that it had issued all necessary permits so that was not the reason for the developer’s delay. The vacant property tax rate is being assessed as a possible additional incentive to restore the house.

In October 2019, the owner finally conceded that he had the necessary permits to continue work but did not have the required financing. On January 7, 2020, DCRA

² See the September 23, 2019 meeting minutes at <http://bit.ly/328jHLW>. The property owner did not respond to the Commission’s invitation for him to appear at that meeting.

advised the Commission that “although the property owner cannot be compelled to develop, continued citations can be levied.” Those citations, however, have been totally ineffective. For the past two years the owner/developer has refused to pay the citations or take any actions required by the existing law. Since our testimony last year, nothing has changed — the house remains in the same, unlawful condition and deteriorates further every day.

The vacant house also continues to pose a safety hazard to the neighbors who live on the adjacent sections of 29th and Jenifer Streets. Despite repeated pleas, the owner/developer has failed to keep trimmed the bushes that border the front yard. As a result, it is very difficult for drivers attempting to safely access heavily trafficked Military Road from 29th Street to see eastbound cars on Military. To prevent a serious crash at this intersection, DCRA and neighbors have trimmed the hedges themselves.

This owner/developer is notorious for its deficient construction practices.³ Fines and vacant property tax rates have not provided an effective incentive for development — or may even pose an impediment since they pile up costs that could further jeopardize construction financing. Current law may provide a theoretical remedy for acquiring and redeveloping the property,⁴ but DCRA contends that it has done everything that it can within the parameters of the DC Code. If there is any latitude under the law, DCRA

³ See <http://bit.ly/2SEAZx6> (roofless house in Brightwood owned by Taja Investments); <http://bit.ly/38J89B6> (dumping on Trinidad property by Taja Investments); <http://bit.ly/2V3o6yc> (Taja Investments responsible for workmanship defect causing collapse of Capital Hill row house wall).

⁴ DC Code § 42–3171.02, “Acquisition and redevelopment of abandoned or deteriorated property.”

should be required to initiate acquisition proceedings. If existing law is inadequate, we ask that the Council adopt new legislation that would allow the District to acquire and sell the property to a reputable buyer who will complete its restoration for occupancy by a family, preferably one who can benefit from affordable housing. This is an urgent issue, not only because it afflicts surrounding neighbors with on-going blight and poses safety hazards, but also because allowing this practice thwarts the District's ability to address its housing shortage.

Thank you.