


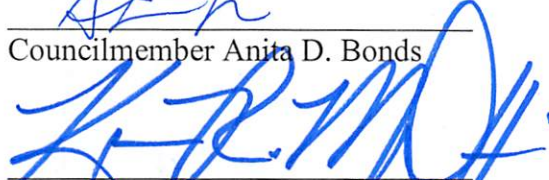
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46



Councilmember Charles Allen


Chairman Phil Mendelson



Councilmember Anita D. Bonds



Councilmember David Grosso


Councilmember Kenyan McDuffie


Councilmember Brianne K. Nadeau


Councilmember Elissa Silverman


Councilmember Robert C. White, Jr.


Councilmember Mary M. Cheh


Councilmember Trayon White, Sr.

A BILL

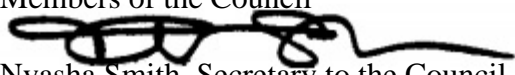
IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish the Department of Buildings as a subordinate agency within the Executive branch with oversight of construction compliance, rental housing safety, and residential property maintenance activities in the District, to enumerate the functions of the Department, to provide for a Director to head the Department, to provide for a Chief Building Official, to provide for a Strategic Enforcement Administrator, to proscribe for the organization of the Department, to require an implementation and transition plan for the establishment of the Department, to provide a timeline wherein the Executive is required to plan and implement establishment of the Department, to require a Strategic Enforcement Plan and proscribe the content of that Plan, to require an annual Enforcement Report and proscribe the content of that report, to provide for rulemaking authority, to amend existing law to

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : January 23, 2018

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Committee of the Whole on Tuesday, January 23, 2018. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Department of Buildings Establishment Act of 2018", B22-0669

INTRODUCED BY: Chairman Mendelson and Councilmembers Grosso, Nadeau, R. White, T. White, Allen, Bonds, McDuffie, Silverman, and Cheh

The Chairman is referring this legislation to the Committee of the Whole.

Attachment

cc: General Counsel
Budget Director
Legislative Services

47 conform to the establishment of the Department of Buildings, and to redesignate the
48 Department of Consumer and Regulatory Affairs as the Department of Licensing and
49 Consumer Protection.

50
51 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
52 act may be cited as the “Department of Buildings Establishment Act of 2018”.

53 **TITLE I. ESTABLISHMENT OF THE DEPARTMENT OF BUILDINGS**

54 Sec. 101. Definitions.

55 For the purposes of this act, the term:

56 (1) “Chief Building Official” or “CBO” means the lead administrator of the
57 Office of Construction and Building Standards, established by section 104.

58 (2) “Department” means the Department of Buildings established by section 102.

59 (3) “International Code Council Family of Codes” means the body of standards
60 promulgated by the International Code Council to the extent the standards are adopted by the
61 District of Columbia and codified into the District of Columbia Code of Municipal Regulations.

62 (4) “Strategic Enforcement Administrator” or “SEA” means the lead
63 administrator of the Office of Strategic Code Enforcement established by section 105.

64 Sec. 102. Establishment of the Department of Buildings.

65 (a) Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved
66 December 24, 1973 (87 Stat. 787; D.C. Official Code §1-204.04(b)), there is established, as a
67 subordinate agency within the executive branch of the District government, the Department of
68 Buildings, which shall be headed by a Director who shall carry out the functions and authorities
69 assigned to the Department.

70 (b) The Department is charged with promoting the health, safety, and quality of life of
71 residents and visitors in the District of Columbia by reviewing proposed plans for technical

72 sufficiency, issuing permits to ensure competent construction, inspecting the built environment,
73 regulating land use and development, and enforcing the regulations and codes governing
74 building construction, rental housing conditions, building maintenance, and building safety.

75 (c) The functions of the Department shall be to:

76 (1) Ensure that the physical environment and structure of all buildings in the
77 District of Columbia meet all applicable regulations and codes for preservation or the use to
78 which the space or structure is to be put;

79 (2) Ensure that the habitability and sanitary condition of all rental housing units in
80 the District of Columbia meet all applicable regulations and codes, except those that are under
81 the exclusive jurisdiction of the United States; and

82 (3) Ensure that public and private land and structures meet adequate health,
83 safety, and environmental standards.

84 Sec. 103. Director.

85 (a) The Director shall manage and administer the Department and all functions and
86 personnel assigned thereto, including the power to redelegate to other employees and officials of
87 the Department such powers and authority as in the judgment of the Director is warranted in the
88 interests of efficiency and sound administration, excluding the ability to alter the duties and
89 functions of the Chief Building Official established by section 104 of this act or the duties and
90 functions of the Strategic Enforcement Administrator established by section 105 of this act.

91 (b) The Director shall be appointed by the Mayor with the advice and consent of the
92 Council, pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C.
93 Law 2-142; D.C. Official Code § 1-523.01(a)).

94 Sec. 104. Chief Building Official.

95 (a) There is established a Chief Building Official with primary authority for the
96 administration of and determination of compliance with the District of Columbia Building Codes
97 (D.C. Law 6-216; 12 DCMR § A), Construction Codes (D.C. Law 6-216; 12 DCMR § K), the
98 Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-
99 1451.01 – 6-1451.11), and Zoning Codes (D.C. Law 6-216; 11 DCMR § X), and the
100 management of all District of Columbia land records.

101 (b) The Chief Building Official shall be appointed by the Mayor with the advice and
102 consent of the Council, pursuant to section 2(a) of the Confirmation Act of 1978, effective
103 March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)).

104 (c) On the effective date of this act; the incumbent CBO shall continue to serve as the
105 CBO until the expiry of a five-year term to be calculated from the effective date of this act. If the
106 incumbent CBO is unable to serve as CBO, the next highest-ranking, employee of the Office of
107 Construction and Building Standards shall serve as acting CBO until a new CBO is appointed by
108 the Mayor pursuant to the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142;
109 D.C. Official Code § 1-523.01).

110 (d) The CBO shall have not less than eight years of senior-level experience in
111 administering building standards and shall have demonstrated, through knowledge and
112 experience, the ability to administer a building standard system of the size and complexity of the
113 responsibilities covered by this act.

114 (e) The CBO shall serve for one five-year term and may be reappointed pursuant to
115 subsection (b) of this section.

116 (f) The CBO shall not be removed from office before the expiration of the five-year term
117 except for cause and shall not be required to resign at the end of a mayoral term or

118 administration, subject to the right of appeal as provided in Title VI of the District of Columbia
119 Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-
120 139; D.C. Official Code § 1-606.01 et seq.).

121 Sec. 105. Strategic Enforcement Administrator.

122 (a) There is established, subordinate to the Director, a Strategic Enforcement
123 Administrator within the Department of Buildings.

124 (b) The SEA shall have the following responsibilities:

125 (1) Responsibility for developing and implementing strategic, and data-driven
126 deployment of the Department's enforcement efforts and advising the Chief Building Official
127 (CBO) and Chief Inspection Official (CIO) accordingly;

128 (2) Monitoring violations to ensure that the CBO and CIO are scheduling timely
129 reinspections and that the appropriate documentation and data is being captured;

130 (3) If, and when, fines are levied the Office of Strategic Code Enforcement is
131 responsible for tracking and enforcing collection of the fines and making referrals to OAG, when
132 necessary;

133 (4) Developing and implementing consistent enforcement procedures and
134 standards in coordination with the CBO and CIO;

135 Advisory responsibility for managing the assignment of the Department's
136 enforcement staff to ensure enforcement efforts regarding the built environment of the District of
137 Columbia are effectively assigned;

138 (5) Managing and tracking the enforcement history of individual projects,
139 professionals, and properties to identify repeat violators or trends in construction, housing code,
140 or maintenance violations and developing plans to detect and deter future violations;

141 (6) Monitoring and tracking the number, type, and severity of violations,
142 abatement history, impact on neighboring properties, previous enforcement actions taken, and
143 the results of such enforcement actions to inform a consistent application of abatement standards;
144 and

145 (7) General administration of the Department's enforcement efforts.

146 (c) The Strategic Enforcement Administrator shall be appointed by the Mayor with the
147 advice and consent of the Council, pursuant to section 2(a) of the Confirmation Act of 1978,
148 effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)).

149 (d) The SEA shall serve for one five-year term and may be reappointed pursuant to
150 subsection (c) of this section.

151 (e) The SEA shall not be removed from office before the expiration of the five-year term
152 except for cause and shall not be required to resign at the end of a mayoral term or
153 administration, subject to the right of appeal as provided in Title VI of the District of Columbia
154 Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-
155 139; D.C. Official Code § 1-606.01 et seq.).

156 Sec. 106. Department organization.

157 (a) There are established within the Department the following offices and divisions:

158 (1) The Office of the Director with subordinate staff responsible for:

159 (A) Human Resources;

160 (B) Intergovernmental Affairs;

161 (C) the General Counsel;

162 (D) Communications; and

163 (E) Technology and Information Services, including the development and
164 maintenance of, in coordination with the Office of the Chief Technology Officer,
165 the systems necessary to enable the efficient and accurate maintenance of digital
166 records management, electronic plan submission, electronic plan review, permit
167 issuance, and enforcement records.

168 (2) Administrative Services, with subordinate staff responsible for:

169 (A) Customer Service and Complaint Resolution;

170 (B) Logistics and Fleet Services, including the management of the
171 equipment necessary to support an inspection workforce that deploys to inspect construction sites
172 in coordination with Technology and Information Services;

173 (C) Risk Management; and

174 (D) Contracts and Procurement;

175 (3) The Office of Construction and Building Standards, headed by the Chief
176 Building Official established by section 104 of this act, with subordinate staff responsible for:

177 (A) The Permitting Operations Division, which shall:

178 (i) Accept permit applications for review and coordinate the review
179 of such applications by the relevant offices and entities;

180 (ii) Evaluate submitted plans and certify their compliance with
181 current building and construction codes or provide instructions to obtain compliance for non-
182 compliant submissions;

183 (iii) Issue building permits for private and District construction
184 projects;

185 (B) The Construction Compliance Division, which shall manage and
186 coordinate revisions to the District's building and trade codes to meet current demands for
187 adequate and safe construction and the maintenance of new and existing building structures as
188 outlined by the International Code Council Family of Codes;

189 (C) The Building Inspection Division, which shall:

190 (i) Inspect commercial buildings;

191 (ii) Manage permit-related inspection requests;

192 (iii) Issue citations for violations of the District's

193 Building Codes and District's Zoning Regulations to correct violations; and

194 (iv) Conduct building and structure assessments for

195 emergency and disaster response in coordination with the Homeland Security and Emergency

196 Management Agency;

197 (D) Green Building Division, which shall regulate construction relevant to

198 the green codes which includes the Green Building Act of 2006, effective March 8, 2007 (D.C.

199 Law 16-234; D.C. Official Code § 6-1451.01 – 6-1451.11), the Green Construction Code (12

200 DCMR § K), and the Energy Conservation Code (12 DCMR § I). The Division shall coordinate

201 services with the Permitting Operations Division and Construction Compliance Division, such

202 as conducting plan review; building inspections; and collaborating with sister agencies, the

203 building industry, and the community to increase the sustainability of the built environment;

204 (E) Surveyor's Office, which shall produce and maintain the legal records

205 of all land plats and subdivisions of private and District government property within the District

206 of Columbia;

207 (F) Third-Party Inspection Program, which shall provide supplemental
208 staff for the Department's plan review and inspection divisions, and shall ensure the suitability
209 and quality of and authorize private entities to perform inspections and plan reviews and to
210 certify to the Department that such work complies with the District of Columbia Construction
211 Codes;

212 (G) Zoning Administration, which shall:

213 (i) Review applications for conformity with District of Columbia
214 zoning regulations (11 DCMR § X);

215 (ii) Enforce zoning regulations;

216 (iii) Write letters of determination or of denial regarding the
217 relevant zoning regulations applicable to specific development proposals; and

218 (iv) Refers developers to the Board of Zoning Adjustment and the
219 Zoning Board if they want to seek special exceptions or zoning variances to the Administrator's
220 rulings;

221 (5) The Office of Residential Inspection, headed by a Chief Inspection Official,
222 with subordinate staff responsible for:

223 (A) Vacant and Blighted Property Division, which shall investigate and
224 classify vacant and blighted buildings;

225 (B) Rental Housing Inspections Division, which shall protect District
226 tenants by ensuring habitable housing by conducting both proactive and complaint-based
227 residential housing inspections of housing and property maintenance code and regulation
228 violations;

229 (C) Housing Rehabilitation Division, which shall:

- 230 (i) Abate housing and building code violations;
- 231 (ii) Process abatement contracts; and
- 232 (iii) Collect unpaid abatement costs;
- 233 (6) The Office of Strategic Code Enforcement, headed by the Strategic
- 234 Enforcement Administrator established in section 105 of this act, with subordinate staff
- 235 responsible for:
 - 236 (A) Code Enforcement Division, which shall:
 - 237 (i) Coordinate and monitor enforcement of violations cited by the
 - 238 Department's regulatory programs;
 - 239 (ii) Work closely with the Office of the Attorney General to
 - 240 compel compliance through judicial orders;
 - 241 (iii) Conduct compliance surveys; and
 - 242 (iv) Issue Notices of Infraction for violations;
 - 243 (B) Civil Infractions and Fine Assessment Division, which shall:
 - 244 (i) Process all civil infractions with the Office of Administrative
 - 245 Hearings;
 - 246 (ii) Collect fines; and
 - 247 (iii) Place property liens on unpaid fines.

248 Sec. 107. Implementation and Transition Plan.

- 249 (a) The City Administrator shall prepare and submit to the Council a comprehensive
- 250 transition plan and timeline to facilitate the implementation of this act.
- 251 (b) The transition plan shall include:

252 (1) A proposed organizational plan, including an organization chart, which
253 reflects the proposed reporting structure for the Department consistent with this act, due 60 days
254 after the effective date of this act;

255 (2) A strategic human capital plan which identifies the skills and personnel
256 necessary for the functions covered by this act, identifies current available human resources,
257 identifies the training necessary to ensure staff are prepared to perform, and identifies recruiting
258 priorities and efforts, due 120 days after the effective date of this act;

259 (3) A Communications Strategy, which articulates the methods by which the
260 Executive will share the mission and scope of the Department with the public, stakeholders, and
261 the regulated community, metrics by which to judge the success of the plan, and alternative
262 outreach options to improve success of the plan, due 120 days after the effective date of this act;

263 (4) A Comprehensive Document Control Inventory which identifies the
264 documents, collateral, and assets that must be revised to reflect the change in responsibility to the
265 Department of Buildings and the change in name of the former Department of Consumer and
266 Regulatory Affairs to the Department of Licensing and Consumer Protection, due 180 days after
267 the effective date of this act;

268 (5) A Business Process Analysis and Reengineering Assessment which identifies
269 the processes by which the Department of Consumer and Regulatory Affairs currently performs
270 each of the functions covered by this act, evaluates the effectiveness of each existing process,
271 identifies potential process improvements, prioritizes eliminating process inefficiencies, and
272 provides redesigned operational processes for the Department of Buildings to adopt these
273 functions, due one year after the effective date of this act; and

274 (6) An information technology needs assessment which identifies the resources
275 and tools necessary to enable operations where a single system, or a minimal number of fully
276 integrated systems, facilitate plan review, enforcement, and records management across all
277 relevant review and enforcement agencies, due one year after the effective date of this act.

278 (c) The timeline shall include progress points by which the Council may track the
279 implementation of this act.

280 (d) As of the effective date of this act, the Mayor shall provide quarterly updates on the
281 progress of developing the deliverables identified in paragraph (b) of this section.

282

283 **TITLE II. AGENCY PLANNING REPORTING REQUIREMENTS**

284 **Sec. 201. Strategic Enforcement Plan.**

285 (a) On or before January 1, 2021 and every three years thereafter, the SEA shall submit to
286 the Council a Strategic Enforcement Plan that:

287 (1) Establishes priorities;

288 (2) Identifies available and needed resources while integrating the Department's
289 enforcement functions; and

290 (3) Identifies instances in which the Department can leverage the enforcement
291 efforts of sister agencies with which the Department has adjacent, overlapping or shared
292 authority.

293 (b) The plan required under paragraph (a) shall rely on existing data and industry best
294 practices to determine enforcement priorities for the duration of the plan.

295 (c) In developing the plan required under paragraph (a) the SEA shall afford great weight
296 to available complaint data and community sentiment.

297 Sec. 202. Annual Enforcement Report.

298 (a) On or before January 1, 2022 and every year thereafter, the Director shall submit to
299 the Council, an annual report, detailing the enforcement activities of the prior fiscal year of the
300 Department.

301 (b) The report required under paragraph (a) shall assess the Department's progress
302 against the Strategic Enforcement Plan required under section 201 and identify any changes to
303 operations necessary to implement said Plan.

304 (c) The report required under paragraph (a) shall also include the following data for the
305 prior fiscal year:

306 (1) Complaint data: detailing the number, type, method, determination of validity,
307 and resolution of complaints received by the Department;

308 (2) Violation data: detailing the violations identified, cited, in the prior fiscal year
309 and their status as abated or unresolved as of the date of the report;

310 (3) Fine Collection data: detailing the dollar value of the fines assessed, dollar
311 value of the fines assessed versus the fines collected, violations for which the fines were issued,
312 and identifying any reduction in fine amount due to an action by an administrative judge to
313 reduce the assessed fine, adverse judgment at an administrative hearing, administrative
314 settlement or dismissal by the Department, or other means resulting in a collection less than the
315 levied amount, and any fines not yet collected as of the date of the report;

316 (4) Abatement efficacy: detailing the number and nature of abatement orders, the
317 number of days taken to abate each order, the number of extensions granted by type of abatement
318 order, the justification for each extension, and the location of each abatement order, and its status
319 as abated or unresolved as of the date of the report;

320 (5) Enforcement Escalation data: detailing the number of violations referred to the
321 Attorney General for the District of Columbia, the aggregate dollar amount assessed, and a
322 description of the matters referred; and

323 (6) Collections Escalation data: detailing the number of violations referred to the
324 Central Collections Unit.

325
326 **TITLE III. REDESIGNATION OF THE DEPARTMENT OF CONSUMER AND**
327 **REGULATORY AFFAIRS**

328 Sec. 301. Redesignation.

329 The Department of Consumer and Regulatory Affairs shall be redesignated as the
330 Department of Licensing and Consumer Protections.

331

332 **TITLE IV. RULEMAKING AUTHORITY; SAVINGS CLAUSE**

333 Sec. 401. Rules.

334 (a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
335 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue
336 rules to implement the provisions of this act, including establishing fines, permit fees, and other
337 fees necessary to support the implementation of this act.

338 (b) Proposed rules promulgated pursuant to subsection (a) of this section shall be
339 submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal
340 holidays, and days of Council recess. If the Council does not approve or disapprove the proposed
341 rules, in whole or in part, by resolution within this 45-day period, the proposed rules shall be
342 deemed to be approved.

343 Sec. 402. Savings clause.

344 The rules any agency, department, or administration, the functions of which are
345 transferred by this act to the Department of Buildings, has promulgated that do not conflict with
346 this act shall remain in effect until amended or repealed by rules promulgated in accordance with
347 this act.

348

349 **TITLE V. CONFORMING AMENDMENTS**

350 Sec. 501. Conforming Amendments.

351 (a) The following functions and duties shall be transferred to the Department of Buildings
352 by October 1, 2019, as follows:

353 (1) The functions of the Department of Consumer and Regulatory Affairs as set
354 forth in section III (A)(4-5) and (B)(3, 6-11) of Reorganization Plan No. 1 of 1983, effective
355 March 31, 1983 shall be transferred to the Department of Buildings, by October 1, 2020.

356 (2) The functions and duties as set forth in section XX of An Act to (D.C. Law
357 D.C. Official Code § 2-101 et seq),

358 (b) Section 26 of the District of Columbia Housing Authority Act of 1999, effective May
359 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-225) is amended as follows:

360 (1) Strike the word “and” from paragraph (5);

361 (2) Strike the period of paragraph (6) and insert “; and” in its place;

362 (3) Insert a new paragraph (7) to read as follows: “The Department of Buildings.”

363 (b) The District of Columbia Applications Insurance Implementation Act, effective May
364 26, 1976 (D.C. Law 1-64; D.C. Official Code §§ 6-501- 6-506) is amended by adding a new
365 section 6A to read as follows:

366 (6B) The Mayor shall delegate the functions enumerated in this chapter to the Director of
367 the Department of Buildings.

368 (c) An Act To regulate the height of buildings in the District of Columbia, as amended,
369 effective June 1, 1910 (D.C. Official Code § 6-601) is amended as follows:

370 (1) Section 5 (D.C. Official Code § 6-601.05) is amended as follows:

371 (A) Strike the phrase “Office of the Inspector of Buildings of the District
372 of Columbia” and insert the phrase “Department of Buildings” in its place;

373 (d) An Act Providing for the zoning of the District of Columbia and the regulation of the
374 location, height, bulk, and used of buildings and other structures and of the uses of land in the
375 District of Columbia, and for the purposes, as amended, effective June 20, 1938 (52 Stat. 800;
376 D.C. Official Code §§ 6-641.01 – 6-641.15) is amended as follows:

377 (1) Section 8 (D.C. Official Code § 6-641.07) is amended as follows:

378 (A) Strike the phrase “Inspector of Buildings” and insert the phrase
379 “Director of the Department of Buildings” in its place;

380 (2) Section 10 (D.C. Official Code § 6-641.09) is amended as follows:

381 (A) Strike the phrase “Inspector of Buildings” and insert the phrase
382 “Director of the Department of Buildings” in its place;

383 (B) Strike the word “Inspector” and insert the word “Director” in its place;

384 (C) Strike the phrase “Corporation Counsel” wherever it appears and
385 insert “Attorney General for the District of Columbia” in its place; and

386 (D) Strike the phrase “The Department of Consumer and Regulatory
387 Affairs” and insert the phrase “Department of Buildings” in its place.

388 (e) An Act Making appropriations to provide for the expenses of the government of the
389 District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and ten, and for
390 other purposes, as amended, effective March 3, 1909 (35 Stat. 689; D.C. Official Code §§ 6-
391 661.01 – 6-661.02) is amended by striking the phrase “Inspector of Buildings” wherever it
392 appears and inserting the phrase “Director of the Department of Buildings” in its place.

393 (a) All staff, property, records, and unexpended balances of appropriations, allocations,
394 and other funds available or to be made available relating to the duties and functions assigned
395 herein, shall be transferred to the Department of Buildings by October 1, 2019.

396 OR

397 (a) The Mayor shall transfer to Department of Buildings, by October 1, 2019, as feasible:

398 (1) Existing staff, property, records, and unexpended balances of appropriations,
399 allocations, and other funds available or to be made available relating to the duties and functions
400 related to housing code enforcement, permitting;

401

402 **TITLE VI. FISCAL IMPACT STATEMENT; EFFECTIVE DATE**

403 Sec. 601. Fiscal impact statement.

404 The Council adopts the fiscal impact statement in the committee report as the fiscal
405 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
406 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

407 Sec. 502. Effective date.

408 This act shall take effect following approval by the Mayor (or in the event of veto by the
409 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
410 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
411 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
412 Columbia Register.