


COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

MEMORANDUM

---

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: January 4, 2024

RE: **Request to Place Measures on the Agenda for January 9, 2024 Legislative Meeting**

---

This memorandum is to request that the following measure be placed on the agenda for the January 9, 2024 Legislative Meeting:

- **Protecting Adjacent and Adjoining Property Owners from Construction Damage Emergency Declaration Resolution of 2023**
- **Protecting Adjacent and Adjoining Property Owners from Construction Damage Emergency Amendment Act of 2023**
- **Protecting Adjacent and Adjoining Property Owners from Construction Damage Temporary Amendment Act of 2023**

On December 20, 2022, the Council approved the Protecting Adjacent and Adjoining Property Owners from Construction Damage Amendment Act of 2022, effective March 22, 2023 (D.C. Law 24-339; 70 DCR 1575). The law requires property owners, contractors, or persons applying for specific types of permits (i.e., excavation permit, raze permit, etc.) to obtain liability insurance that covers loss or damage to adjacent and adjoining property owners for certain permits issued by the Department.

Following the enactment of the law, the Department of Buildings determined that three additional permit types should be included under the law due to the potential risk of damage or injury to a neighboring property. These additional permits are alteration and repair permits where the applicant will be engaged in underpinning or specific other construction activity, a foundation permit, and a new building permit. Failure to include these permit types under the law will lead to a significant gap in the protection afforded to adjacent and adjoining property owners.

Copies of the draft measures are attached. Please contact me or Blaine Stum if you have any questions at (202) 724-8092

cc: Members, Council of the District of Columbia  
Council Officers