ON MAY 11, 2004, THE BOARD STRUCK THIS DOCUMENT FROM THE RECORD.

BZA
Case No. 17092
Exhibit No. 69

Board of Zoning Adjustment
District of Columbia
CASE NO. 17092
EXHIBIT NO. 69

LAW OFFICES OF
ANDREA C. FERSTER
1100 SEVENTEENTH STREET, N.W., 10TH FLOOR
WASHINGTON, D.C. 20036
(202) 974-5142
(202) 331-9680 (fax)

January 30, 2004

D.C. OFFICE OF ZONING
RECEIVED
2004 JAN 30 PM 2:26

Mr. Denzil Noble
Acting Zoning Administrator, and
Administrator, Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs,
941 North Capitol Street, NE, Suite 9500,
Washington, DC 20002

Dear Mr. Noble:

Clean Hands Act— WagTime, LLC

I am writing to you on behalf of many residents of the 1400 block of Q Street, NW, and on behalf of Mid-City Development Company, LLC, (collectively "Q Neighborhood Coalition") to: (1) request that you initiate an investigation, pursuant to the District of Columbia's *Clean Hands Before Receiving a License or Permit Act, 1996,* (hereinafter referred to as "the Clean Hands Act"), D.C. Code § 47-2861, *et seq.*, into the veracity of the certifications made by WagTime, LLC during the course of applying for certificates of occupancy from your agency, and (2) to request that your agency deny pending or future applications by WagTime, LLC for Certificates of Occupancy, as required by the Clean Hands Act, given the circumstances detailed in this letter.

As you are aware, the Clean Hands Act of 1996 provides that "the District governmental shall not issue or re-issue any license or permit to any applicant for a license or permit if the applicant owners more than $100 in outstanding debt to the District as a result of . . . (3) Fines, penalties, or interest assessed pursuant to Chapter 8 of Title 2 ." D.C. Code § 47-2862(a). Applicants are required to self-certify compliance with the Act, "provided that the veracity of the self-certification may be investigated upon the initiative of the District government at any time." *Id.* § 47-2863(a). "If the D.C. District government determines at any time that an applicant knowingly falsified the certification require by this subchapter, the District government shall: (1) Proceed immediately to revoke each license or permit, the applicaton for which contains such a falsified certification; and (2) Fine the applicant $1,000 for each false certificat on." *Id.* § 47-2864(a).

As you are also aware, on July 8, 2003, Ms. Lisa Schreiber as "Managing Member" of Wagtime LLC signed such a certification in support of Wagtime's application for a C of O for 1412 Q Street NW, Washington DC (see Attachment 1: WagTime's Clean Hands Certificate submitted with its July 8, 2003, application for a Certificate of Occupancy at 1412 Q Street, NW).

BZA
Case No. 17092
Exhibit No. 69

However, on July 8 when Ms. Schreiber signed the Clean Hands certification on behalf of Wagtime LLC, Wagtime had multiple outstanding fines, each in excess of $100, owing to the Washington DC government as a result of civil infraction notices issued by DCRA pursuant to Title 2, Chapter 18, in relation to the illegal activities of Wagtime at 2104 18th Street NW, and at 1508 P Street NW, as follows:

1. A $500.00 fine imposed on WagTime under Notice of Infraction (NOI) number 050152 on May 29, 2003, for operating without a Certificate of Occupancy at 2104 18th Street, NW. A default judgment (upon WagTime's failure to appear at a scheduled hearing regarding this infraction) of $540.00 was entered against WagTime by Judge Little of DCRA's Office of Adjudication on August 20, 2003, and served on WagTime on August 25, 2003 (see Attachment 2);

2. A $1,000.00 fine imposed on WagTime under Notice of Infraction (NOI) number 050156 on July 1, 2003, for operating without a Certificate of Occupancy at 2104 18th Street, NW. A default judgment (upon WagTime's failure to appear at a scheduled hearing regarding this infraction) of $1,500.00 was entered against WagTime by Attorney Examiner Whitman of DCRA's Office of Adjudication on August 20, 2003, and served on WagTime on August 25, 2003 (see Attachment 3);

3. A $500.00 fine imposed on WagTime under Notice of Infraction (NOI) number 050158 on July 3, 2003, for operating without a Certificate of Occupancy at 1508 P Street, NW. A default judgment (upon WagTime's failure to appear at a scheduled hearing regarding this infraction) of $1,500.00 was entered against WagTime by Attorney Examiner Whitman of DCRA's Office of Adjudication on August 20, 2003, and served on WagTime on August 25, 2003 (see Attachment 4);

Each of these default judgments stipulated that the judgment would remain in full force and effect unless and until Wagtime files, within 15 days of receipt of those orders, a motion to vacate the default and to reschedule the hearing for good cause shown. The Office of Adjudication has advised that Wagtime did not file a motion to vacate the judgment, nor did Wagtime file an appeal of the default judgments with the Board of Appeals and Review within the time period specified for filing such appeals. Once issued pursuant to the Civil Infractions Act, these fines and penalties remain in force until and unless they are paid, dismissed or successfully appealed, unless they are stayed by the hearing examiner pending further administrative review. D.C. Code § 2-1802.03(g). As of January 29, 2004, the default judgments entered against WagTime in respect of these fines remained unpaid and outstanding according to DCRA's Office of Adjudication.

In view of the foregoing, we request the following:

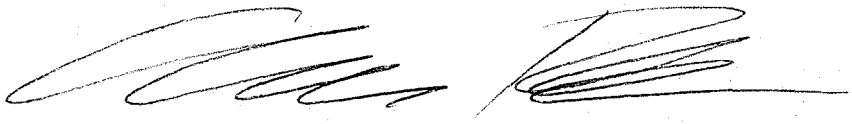
1. That DCRA deny any application by WagTime for a new or renewed certificate of occupancy due to outstanding fines and penalties under the Civil Infractions Act well in excess of $100, as required by the Clean Hands Act, D.C. Code § 47-2862(a).

2. That DCRA promptly initiate an investigation into the veracity of Wagtime's self-certification pursuant to D.C. Code § 47-2863(a), including whether or not Wagtime knowingly provided a false certification.

3. That DCRA promptly initiate proceedings to revoke any certificates of occupancy or other licenses issued to Wagtime based on such false certifications, pursuant to D.C. Code § 47-2864(b).

We would appreciate DCRA's response to the concerns raised in this letter at your earliest convenience.

Sincerely,



Andrea C. Ferster,
Counsel for Q Neighborhood Coalition

Attachments

cc: Honorable Jack Evans, Member Ward 2, DC Council
Honorable Sharon Ambrose, Chair, DC Council Committee Consumer & Regulatory Affairs
Honorable David Catania, Member At Large, DC Council
Honorable Phil Mendelson, Member At Large, DC Council
Honorable Carol Schwartz, Member At Large, DC Council
Chairman Griffis, and Board Members, Board of Zoning Adjustment
Mr. Robert Bobb, Deputy Mayor/City Administrator, Executive Office of the Mayor
Mr. David Clark, Director, Department of Consumer and Regulatory Affairs (DCRA)
Judge Savannah E. Little, Administrative Law Judge, Office of Adjudication, DCRA
Ms. Theresa Lewis, Deputy Director for Operations/Chief of Staff, DCRA
Ms. Jerrily Kress, Director, DC Office of Zoning
Mr. Richard Nero, Deputy Director/Chief of Staff, DC Office of Zoning
Mr. Bennett Rushkoff, Senior Counsel, DC Office of Corporation Counsel
Mr. Clark Ray, Executive Office of the Mayor, Neighborhood Services Coordinator, Ward 2
Ms. Michele Molotsky, Director, Constituent Services, Office of Council Member Evans
Ms. Esther Bushman, Committee Clerk, Office of Council Member Ambrose
Mr. Skip Coburn, Research Specialist, Office of Council Member Ambrose
Ms. Sharona Morgan, Director of Constituent Services, Office of Council Member Schwartz
Ms. Johnnie Scott Rice, Constituent Services Director, Office of Council Member

Catania
Ms. Karen Archer, Constituent Services Director, Office of Council Member Mendelson

Please sign and return this Form

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Clean Hands Before Receiving a License or Permit Act of 1996 Certification Form

Please read this from carefully and completely before signing. Any false information provided requires that the Department of Consumer and Regulatory Affairs proceed immediately to revoke the license or permit for which you are now applying, and fine you one thousand dollars ($ 1,000.00). This Certification Form is required to be completed and submitted with any application for licensure or permit under the Clean Hands Before Receiving a License or Permit Act of 1996, effective May I 1, 1996 (D.C. Law 11-1 18, D.C. Codes §47-2861 et seq.).

I, Wag Time, L.L.C., Lisa Schreiber, Managing Member as Managing Member
(name) (owner/partner/corporate officer)

certify that Wag Time, L.L.C., trading as Wag Time
(business name) (trade name)

does not owe more than one hundred dollars ($100.00) to the District of Columbia government as a result of:

1. Fines, penalties or interest assessed pursuant to the Litter Control Administration Act of 1995, effective March 25, 1986 (D.C. Law 6-100; D.C. Code §6-2911 et seq.);

2. Fines, penalties or interest assessed pursuant to the Illegal Dumping Enforcement Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Code §6-2911 et seq.);

3. Fines, penalties or interest assessed pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1986 (D.C. Law 6-42; D.C. Code §6-2701 et seq.); or

4. Past due taxes.

understand that if I knowingly provide false information on the *Certification Form*, the Department of Consumer nd Regulatory Affairs will move to revoke the license or permit for which I am applying and fine me one thousand ollars ($ 1,000.00). I further understand that the Department of Consumer and Regulatory Affairs may conduct n investigation to ascertain the veracity of the information contained in this *Certification Form*.

understand that this Certification Form is now required as part of my application for a license or permit, and that y completing it, I am not guaranteed that my license or permit will be approved.

Signature and Title

7/08/03
Date

Office of Tax & Revenue

For Tax Assistance Call (202) 442-6340

★★★ GOVERNMENT OF THE DISTRICT OF COLUMBIA — DEPT. OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF ADJUDICATION

NOTICE OF INFRACTION

050152

Issuing Administration
A ☐ HRA E ☒ BLRA I ☐ FIRE
B ☐ MPD F ☐ OPLA J ☐ CMH
C ☐ LRA G ☐ OCOM K ☐
D ☐ BRA H ☐ EHA L ☒

__/__/__ Date of Service

5 / 29 / 03 Date of Infraction — 2:30 ☐ a.m. ☒ p.m.

2104 18th Street, N.W WARD NO: ____
Place of Infraction (Street Address)

Wag Time LLC ( ) Telephone No.
Business/Company Name

( ) Telephone No.
Respondent's Full Name (Last, First, Middle)

2104 18th Street, NW
Respondent's Street Address

Wash. DC
Respondent's City — State — Zip Code

Formal I.D. ☐ Yes ☐ No Recidivist ☐ Yes ☐ No

Bus. Lic. Type ____ Bus. Lic. No. ____

Bus. Permit Type ____ Bus. Permit No. ____

Respondent's Social Security No. ____

TO REPORT SUSPECTED INSTANCES OF WASTE, FRAUD, AND/OR ABUSE, CALL 1-800-521-1639.

You are charged with violating the District of Columbia laws set out below. You must indicate below each infraction listed, whether you admit the infraction, admit the infraction with an explanation, or deny the infraction. You have the right to request a hearing.

Code		Regulation	Fine Amount
52207	1	DCMR 11 3203.1	$500.00

Nature of Infraction Operating a Dog Grooming Service/Pet Supply Store Without a C of O

☒ Admit ☐ Admit with Explanation ☐ Deny

Code		Regulation	Fine Amount
			$

Nature of Infraction ____

☐ Admit ☐ Admit with Explanation ☐ Deny

Code		Regulation	Fine Amount
			$

Nature of Infraction ____

☐ Admit ☐ Admit with Explanation ☐ Deny

Code		Regulation	Fine Amount
			$

Nature of Infraction ____

☐ Admit ☐ Admit with Explanation ☐ Deny

Total fine(s) amount applicable to the above infraction(s) $. 500.00

WARNING: If you do not pay the required fine(s) or request a hearing or an adjudication by mail (see reverse side) within 15 days of the date of service of this notice, you will be subject to the maximum penalties permitted by law, suspension of your license/permit, a lien being placed on your property and/or sealing of your business. The fine amount will double if payment has not been received within 15 days. If this is not your first infraction, you will be subject to an increased fine.

I personally observed or investigated the commission of the infraction(s) noted above.

Thomas Rockett #780
Inspector's/Investigator's Signature — Badge No.

I hereby acknowledge receipt of this Notice of Infraction.

RESPONDENT'S SIGNATURE — DATE

OAD COPY

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF ADJUDICATION
941 North Capitol Street, N.E., Suite #9100
P.O. Box 37140
Washington, D.C. 20013-7200

Department of Consumer and Regulatory Affairs

Petitioner

vs.

Wag Time
c/o Lisa Schreeber
1508 P Street, N.W.
Washington, D.C. 20011

Respondent

Case Number 03-OAD-2373E

Location of Infraction:
2104 18th Street, N.W.
Washington, D.C.

Parties present:
[] Respondent [] Counsel Respondent Failed to Appear for Scheduled Hearing

[] Government Atty:_____ [] Insp/Inv:_____ [] Other: _____

Hearing Date: 8/6/03 Infraction Date: 7/3/03 Service Date: 7/3/03

NOI #050152 SNOI Service Date: 7/22/03[1] [x] Served [] Posted

INFRACTIONS ALLEGED

1) 11 DCMR 3203.1 Building used other than a one family dwelling without a C of O
D.C. Official Code § _____
Fines $500.00 Answer [] Deny [] Admit [] Admit with Explanation

ORDER

(Default Judgment)

---

[1] Although a second Notice of Infraction was served on the Respondent, this was done inadvertently. The record shows that the Notice of Infraction was served on the Respondent on June 5, 2003. On June 6, 2003, the Respondent filed its response with the Office of Adjudication in a timely manner.

Upon consideration that the above-captioned case was scheduled for an administrative hearing on July 16, 2003, the respondent's failure to appear after having been given proper and legal notice of such hearing by the Office of Adjudication, and the respondent's failure to request a continuance in the matter, it is this day of August 2003, hereby

ORDERED: That a default judgment in the amount of Five Hundred Forty Dollars ($540.00) shall be entered against the respondent pursuant to 16 DCMR § 3112.1.[2] Said default judgment includes a fine in the amount of Five Hundred Dollars ($500.00), and an administrative fee[3] in the amount of Forty Dollars ($40.00); and it is

FURTHER ORDERED: That such default judgment shall remain in full force and effect unless and until the respondent files, with in fifteen (15) days of receipt of this Order, a motion to vacate the default and to reschedule the hearing for good cause shown and the Office of Adjudication has granted such motion; and it is

FURTHER ORDERED: that the Respondent's failure to pay this fine and administrative fee within 15 days may result in an additional 25% collection charge.

: : : Seal : By _____ ☐Order Served
: : ADMINISTRATIVE LAW JUDGE, D.C. [x]Order Forwarded to AVPD for Service

[2] 16 DCMR § 31121.1 provides that a default judgment may be issued against a respondent who fails to appear for a scheduled hearing that has not been continued, postponed, or rescheduled.

[3] D.C. Code § 2-1801.04(b) provides that, in addition to any civil fines and penalties imposed following the adjudication of an infraction adverse to a respondent, an Administrative Law Judge or Attorney Examiner may impose other costs associated with the hearing.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF ADJUDICATION
941 NORTH CAPITOL STREET, NE – ROOM #9100
WASHINGTON, DC 20013-7200
(202) 442-8167

CASE NO: 03-OAD-2373E
NOI NO: #050152

Wag Time
c/o Lisa Schreeber
1508 P Street, N.W.
Washington, D.C. 20011

Respondent

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the attached Order rendered on 8-20-03 for the above referenced case to be mailed postage prepaid on 8-25-03 to the respondent at the address listed above.

Certifying Party

Attachment 3

GOVERNMENT OF THE DISTRICT OF COLUMBIA — DEPT. OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF ADJUDICATION

NOTICE OF INFRACTION *C150156*

Issuing Administration
A ☐ HRA E ☐ BLRA I ☐ FIRE
B ☐ MPD F ☐ OPLA J ☐ CMH
C ☐ LRA G ☐ OCOM K ☐
D ☐ BRA H ☐ EHA L ☐

Date of Service: ___/___/___

7/1/03 — 6:10 ☐ a.m. ☒ p.m.
Date of Infraction

2104 18th Sta. N.W. — WARD NO: ___
Place of Infraction (Street Address)

Wagtime LLC — ( )
Business/Company Name — Telephone No.

( )
Respondent's Full Name (Last, First, Middle) — Telephone No.

1412 G St. N.W.
Respondent's Street Address

Wash. DC. 20009
Respondent's City — State — Zip Code

Formal I.D. ☐ Yes ☐ No Recidivist ☐ Yes ☐ No

Bus. Lic. Type ___ Bus. Lic. No. ___

Bus. Permit Type ___ Bus. Permit No. ___

Respondent's Social Security No. ___

TO REPORT SUSPECTED INSTANCES OF WASTE, FRAUD, AND/OR ABUSE, CALL 1-800-521-1639.

You are charged with violating the District of Columbia laws set out below. You must indicate below each infraction listed, whether you admit the infraction, admit the infraction with an explanation, or deny the infraction. You have the right to request a hearing.

Code		Regulation	Fine Amount
52207	2	DCMR H 3203.1	$ 1,000.00

Nature of Infraction: Operating a Dog Daycare/Pet Supply Store Without a Valid Certificate of Occupancy

☐ Admit ☐ Admit with Explanation ☐ Deny

Code		Regulation	Fine Amount
			$

Nature of Infraction ___

☐ Admit ☐ Admit with Explanation ☐ Deny

Code		Regulation	Fine Amount
			$

Nature of Infraction ___

☐ Admit ☐ Admit with Explanation ☐ Deny

Code		Regulation	Fine Amount
			$

Nature of Infraction ___

☐ Admit ☐ Admit with Explanation ☐ Deny

Total fine(s) amount applicable to the above infraction(s) $ 1000.00

WARNING: If you do not pay the required fine(s) or request a hearing or an adjudication by mail (see reverse side) within 15 days of the date of service of this notice, you will be subject to the maximum penalties permitted by law, suspension of your license/permit, a lien being placed on your property and/or sealing of your business. The fine amount will double if payment has not been received within 15 days. If this is not your first infraction, you will be subject to an increased fine.

I personally observed or investigated the commission of the infraction(s) noted above.

L. Jones Parker #376
Inspector's/Investigator's Signature — Badge No.

I hereby acknowledge receipt of this Notice of Infraction.

RESPONDENT'S SIGNATURE — DATE

INSPECTOR/ADMINISTRATION COPY

Attachment (cont.)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF ADJUDICATION
941 NORTH CAPITOL STREET, NE ROOM #9100
P.O. Box 37140
WASHINGTON, DC 20013-7200
(202) 442-8167

Department of Consumer and Regulatory *Affairs*

vs.

WAGTIME, LLC
1412 Q STREET , NW
Washington DC 20009-

Respondent(s)

Case Number OAD 03-OAD-2798E

Location of infraction (if different from Respondent(s) address at Left):

2104 18th street, NW
Washington, DC

Parties Present:

[ ] Respondent(s) [ ] Counsel Respondent(s) Failed to Appear for Scheduled Hearing

[ ] Government Atty: _____ Insp/Inv: _____ Other: _____

Hearing Date: 8/6/2003 Infraction Date: 7/1/2003

Service Date: 7/2/2003

NOI **050156** SNOI Service Date: 7/22/2003 [ ] Served [ ] Posted

INFRACTIONS ALLEGED

1 052207 11 DCMR 3203.1 500 BLDG USED AS OTHER THAN 1 FAM DWELL W/O CERTIF

Fines $ 500/1000 Answer [ ] Deny [ ] Admit With Explanation

O R D E R

(DEFAULT JUDGMENT)

Upon consideration that the above-captioned case was scheduled for an administrative hearing on August 06, 2003, the respondent(s) failure to appear after having been given proper and legal notice of such hearing by the Office of Adjudication, and the respondent(s) failure to request a continuance in the matter, it is this 20th day of August, 2003, hereby

ORDERED:

That a default judgment in the amount of One Thousand Five Hundred Dollars ($1,500.00) shall be entered against the respondent(s) pursuant to 16 DCMR Section 3112.1. Said default judgment includes a fine in the amount of Five Hundred Dollars ($500.00), and a penalty, pursuant to 16 DCMR Section 3114.1(b), in the amount of One Thousand Dollars ($1,000.00) because of the respondent(s) failure to answer a Second Notice of Infraction in a timely manner; and, it is

FURTHER ORDERED:

That such default judgment shall remain in full force and effect unless and until the respondent(s) file, within fifteen (15) days of receipt of this Order, a motion to vacate the default judgment and to reschedule the hearing for good cause shown and the Office of Adjudication has granted such motion.

FURTHER ORDERED:

Failure to pay this infraction within 15 days may result in an additional 25% collection charge.

By: Elizabeth Alexander

ATTORNEY EXAMINER, D.C.

---

16 DCMR Section 3112.1 provides that a default judgement may be issued against a respondent who fails to appear for a scheduled hearing that has not been continued, postponed, or rescheduled.

16 DCMR Section 3114.1(b) provides that a penalty in the amount of twice the initial fine may be imposed against a respondent who fails to answer a Second Notice of Infraction within fifteen (15) days from the date of service.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS
Office of Adjudication
941 North Capitol Street, NE, #9100
Washington, DC 20002
(202) 442-8167

Department of Consumer & Regulatory Affairs

v.

Wagtime LLC
1412 Q Street, NW
Washington, DC 20009

NOI 050156
Case No. 03-OAD-2798E

Certificate of Service

I hereby certify that the attached Order rendered August 20, 2003 for the above referenced case was mailed postage-prepaid to the respondent at the address listed above on this 8-25-03.

Certifying Party

GOVERNMENT OF THE DISTRICT OF COLUMBIA — DEPT. OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF ADJUDICATION

NOTICE OF INFRACTION *050158*

Issuing Administration
A ☐ HRA E ☐ BLRA I ☐ FIRE
B ☐ MPD F ☐ OPLA J ☐ CMH
C ☐ LRA G ☐ OCOM K ☐
D ☐ BRA H ☐ EHA L ☐

7 / 3 / 03 Date of Service

7 / 3 / 03 Date of Infraction — 8:30 ☐ a.m. ☐ p.m.

1508 P Street, N.W. WARD NO: ____
Place of Infraction (Street Address)

Imaging, LLC ( ) Telephone No.
Business/Company Name

( ) Telephone No.
Respondent's Full Name (Last, First, Middle)

1508 P Street, N.W.
Respondent's Street Address

Wash. DC. 2005
Respondent's City — State — Zip Code

Formal I.D. ☐ Yes ☐ No Recidivist ☐ Yes ☐ No

Bus. Lic. Type ____ Bus. Lic. No. ____

Bus. Permit Type ____ Bus. Permit No. ____

Respondent's Social Security No. ____ - ____ - ____

TO REPORT SUSPECTED INSTANCES OF WASTE, FRAUD, AND/OR ABUSE, CALL 1-800-521-1639.

You are charged with violating the District of Columbia laws set out below. You must indicate below each infraction listed, whether you admit the infraction, admit the infraction with an explanation, or deny the infraction. You have the right to request a hearing.

Code		Regulation	Fine Amount
52207	1	DCMR 11 3203.1	$500.00

Nature of Infraction Operating A Dog Day Care Business W/O A Certificate of Occupancy

☐ Admit ☐ Admit with Explanation ☐ Deny

Code		Regulation	Fine Amount
			$

Nature of Infraction ____

☐ Admit ☐ Admit with Explanation ☐ Deny

Code		Regulation	Fine Amount
			$

Nature of Infraction ____

☐ Admit ☐ Admit with Explanation ☐ Deny

Code		Regulation	Fine Amount
			$

Nature of Infraction ____

☐ Admit ☒ Admit with Explanation ☐ Deny

Total fine(s) amount applicable to the above infraction(s) $ 500.00

WARNING: If you do not pay the required fine(s) or request a hearing or an adjudication by mail (see reverse side) within 15 days of the date of service of this notice, you will be subject to the maximum penalties permitted by law, suspension of your license/permit, a lien being placed on your property and/or sealing of your business. The fine amount will double if payment has not been received within 15 days. If this is not your first infraction, you will be subject to an increased fine.

Premises Secured To Code

I personally observed or investigated the commission of the infraction(s) noted above.

[illegible] 4720
...r's Signature — Badge No.

...e receipt of this Notice of Infraction.

...GNATURE — DATE

INSPECTOR/ADMINISTRATION COPY

Attachment (cont.)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFA
OFFICE OF ADJUDICATION
941 NORTH CAPITOL STREET, NE ROOM #9100
P.O. Box 37140
WASHINGTON, DC 20013-7200
(202) 442-8167

Department of Consumer and Regulatory Affairs

vs.

WAGTIME LLC
1508 P STREET , NW
Washington DC 20011-

Respondent(s)

Case Number OAD 03-OAD-2799E

Location of infraction (if different from Respondent(s) address at Left):

1508 P STREEET, NW
Washington, DC

Parties Present:

[ ] Respondent(s) [ ] Counsel Respondent(s) Failed to Appear for Scheduled Hearing

[ ] Government Atty: _____ Insp/Inv: _____ Other: _____

Hearing Date: 8/6/2003 Infraction Date: 7/3/2003

Service Date: 7/3/2003

NOI **050158** SNOI Service Date: 7/22/2003 [ ] Served [ ] Posted

INFRACTIONS ALLEGED

1 052207 11 DCMR 3203.1 500 BLDG USED AS OTHER THAN 1 FAM DWELL W/O CERTIF

Fines $ 500/1000 Answer [ ] Deny [ ] Admit With Explanation

O R D E R

(DEFAULT JUDGMENT)

Upon consideration that the above-captioned case was scheduled for an administrative hearing on August 06, 2003, the respondent(s) failure to appear after having been given proper and legal notice of such hearing by the Office of Adjudication, and the respondent(s) failure to request a continuance in the matter, it is this 20th day of August, 2003, hereby

ORDERED:

That a default judgment in the amount of One Thousand Five Hundred Dollars ($1,500.00) shall be entered against the respondent(s) pursuant to 16 DCMR Section 3112.1. Said default judgment includes a fine in the amount of Five Hundred Dollars ($500.00), and a penalty, pursuant to 16 DCMR Section 3114.1(b), in the amount of One Thousand Dollars ($1,000.00) because of the respondent(s) failure to answer a Second Notice of Infraction in a timely manner; and, it is

FURTHER ORDERED:

That such default judgment shall remain in full force and effect unless and until the respondent(s) file, within fifteen (15) days of receipt of this Order, a motion to vacate the default judgment and to reschedule the hearing for good cause shown and the Office of Adjudication has granted such motion.

FURTHER ORDERED:

Failure to pay this infraction within 15 days may result in an additional 25% collection charge.

By: Elizabeth Ayres Lerman
ATTORNEY EXAMINER, D.C.

---

16 DCMR Section 3112.1 provides that a default judgement may be issued against a respondent who fails to appear for a scheduled hearing that has not been continued, postponed, or rescheduled.

16 DCMR Section 3114.1(b) provides that a penalty in the amount of twice the initial fine may be imposed against a respondent who fails to answer a Second Notice of Infraction within fifteen (15) days from the date of service.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS
Office of Adjudication
941 North Capitol Street, NE, #9100
Washington, DC 20002
(202) 442-8167

Department of Consumer & Regulatory Affairs

v.

Wagtime LLC
1508 P Street, NW
Washington, DC 20011

NOI 050158
Case No. 03-OAD-2799E

Certificate of Service

I hereby certify that the attached Order rendered August 20, 2003 for the above referenced case was mailed postage-prepaid to the respondent at the address listed above on this 8-25-03.

Certifying Party

Attachment 5

Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration
941 North Capitol Street N.E. room 2100
Washington D.C. 20002
Tel. (202) 442 - 4470 Fax (202) 442 - 4862

Government of the District of Columbia
DCRA 94A

C of O

CERTIFICATE OF OCCUPANCY

PERMIT NO.
CO 57903

THIS PERMIT IS VALID ONLY FOR THE PREMISES OF THE PROJECT ADDRESS

DATE : 7/23/2003

ADDRESS:	FLOOR(S):	PRCLID : 0209 (square) -0000- 0878 (lot)
1412 Q ST NW	1ST FL.& MEZZANINE	WARD : 2 ZONE : CM3

PERMISSION IS HEREBY GRANTED TO:
CORPORATION : WAGTIME LLC
ID No.: L09504

TRADING AS:

APPROVED USES:	PREVIOUS USES :
OTHER - SEE DESCRIPTION	OFFICE SPACE

TYPE :	BZA NO :	OCCUPIED SQ. FOOTAGE:	OCCUP. LOAD:	EXPIRATION DATE:
USE CHANGE		1,248		NONE

SCRIPTION OF USE:
HR. DOG BOARDING AND GROOMING WITH ACCESSORY RETAIL SALE OF PET SUPPLIES (C OF O TO EXPIRE 1-31-04)

FEE :
$75.00

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, VALID ONLY for the premise at the above address or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

David A. Clark
DIRECTOR

PERMIT CLERK:
THINGOC MACXOAN

Department of Consumer & Regulatory Affairs
District of Columbia Government