

DCRA EXHIBIT F

NOTE:

An unsigned copy is attached to the prehearing statement. A signed copy will be provided before the hearing.

AFFIDAVIT OF MATTHEW LEGRANT

I, Matthew LeGrant, state the following:

1. I am the Zoning Administrator for the District of Columbia.
2. In this capacity, it is my obligation to interpret the zoning regulations. It is also my duty to ensure that certificates of occupancy state the correct use of property and that the use complies with the zoning regulations.
3. I am aware that certificates of occupancy have been issued for 223 and 225 56th Place NE, Washington DC. The certificates authorize both of those properties to be used as rooming houses.
4. However, after the certificates were issued, it was brought to my attention that the DC Department of Consumer and Regulatory Affairs and DC Department of Health had investigated 223 and 225 56th Place NE ("the premises") after numerous complaints were made regarding the operation of the premises.
5. I was informed that the tenants of the premises were elderly, unwell individuals suffering from a variety of health conditions who have health aides that assist with cooking, cleaning, grooming, and other daily activities. I was also informed that two individuals had died while in the custody of the premises. Based on the information obtained during the numerous investigations, I determined that the premises were being operated as community based residential facility.
6. The zoning regulations define community based residential facility as "a residential facility for persons who have a common need for treatment, rehabilitation, assistance, or supervision in their daily living."

7. The premises falls within the terms of this definition because the residents of the facility have medical conditions and need the assistance of nursing aides in their daily living.
8. The zoning regulations also provide that if a facility is a community based residential facility, it cannot be deemed to be any other use under the zoning regulations. As a result, the certificates of occupancy for the premises, which authorize using the premises as a rooming house, are invalid. Therefore, I moved, on April 22, 2014, to revoke these two Certificates of Occupancy.

I swear that the above is true and accurate.

Date:

Matthew Le Grant, Zoning Administrator