



NOTIFICATION FORM

DATE: 11-14-13
 OWNER: KESSINGTON PLACE, LLC
 ADDRESS: C/O KADY GROUP, INC.
P.O. BOX 790, LANHAM, MD 20703
 TEL: 301-429-5970
 E MAIL: DARRYLS@KADYGROUP.COM

ADJACENT OWNER: Richard Holcomb and Robert Boyer
 ADDRESS: 2110 3rd Street
NE, WASHINGTON DC 20002
 TEL: 202-635-0280
 E MAIL: richie3008@yahoo.com

- ☒ 1. WORK ALONG PROPERTY LINE (NS)
☒ 2. ADDITION OF STRUCTURE ALONG PARTY LINE, (NS)
☐ 3. WORK AFFECTING PARTY WALL (NS)

- SCOPE OF WORK:
☐ 4. UNDERPINNING OF FOUNDATION (S)
☐ 5. ADDITION OF STRUCTURE ON PARTY WALL (S)
 OTHER, SPECIFY SIDING ON WALL
 (NS) NON-STRUCTURAL (S) STRUCTURAL

Dear Richard and Robert,

My name is 'Darryl' Sulekoiki, O. A. (I am/we are) the owner of the property located at 2112 3rd Street, NE, Washington DC 20002 which adjoins your property. (I am/We) are proposing to carrying out the job indicated in the scope of work above which may have an impact on your building or structure.

The District of Columbia Building Code, DCMR 12 A (2008), Section 3307.2 further requires that (I/we) notify you. This notification together with copies of all the documents filed with the District for the necessary permit for the proposed work shall be delivered to the adjoining property owner, and a copy submitted to the code official, not less than thirty (30) days prior to the proposed starting date. If the work is non-structural, notification shall not be less than ten (10) business days prior to the scheduled starting date of the work.

Consequently, (I am/we are) hereby providing you (my/our) written 30 or 10 days notice, of the proposed work specified above and (I am/we are) also requesting your permission to enter your property, to perform the related work, at my expense, necessary to preserve and protect your building from damage, disruption or personal injury.

The Building Code also requires that you provide written permission or denial to this request.

Please note, if the necessary permission is not granted, the Building Code, Section 3307.2 also provides that it shall then be your duty and at your expense to preserve and protect your building and property. In like manner you are hereby granted permission to enter my property at reasonable times, if necessary, to take cognizance of the situation.

Please provide your response by signing the appropriate line below which will be accepted as your written permission or denial. Your response must be provided not more than 30 days of receipt of this letter.

If you have any questions or concerns, please do not hesitate to contact me from the information above.

Sincerely,

Signature of Owner

Adjoining Owner's Permission Granted ☒ Denied ☐

Signature

DATE

30 November 2013

DCRA/POD 4/2011

We, the Adjoining Owners, further grant Owner permission to enter our property to perform, at Owner's expense, work necessary to preserve and protect, repair, restore and otherwise ensure that our roof is free from damage, disruption or personal injury arising from Owner's construction.

We, the Adjoining Owners, do not grant Owner permission to enter onto our property for any purpose other than as expressly allowed in this written consent for the protection and preservation of our building and property from damage, disruption or personal injury.

EXHIBIT 10



Department of Consumer and Regulatory Affairs
Permit Operations Division
1100 4th Street SW
Washington DC 20024
Tel. (202) 442 - 4589 Fax (202) 442 - 4862



B

BUILDING PERMIT

THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF
WORK UNTIL WORK IS COMPLETED AND APPROVED

Issue Date: 10/31/2013

PERMIT NO. **B1307457**

Expiration Date: 10/31/2014

Address of Project: 2112 3RD ST NE		Zone:	Ward: 5	Square: 3561	Suffix:	Lot: 0006
Description Of Work: New two family flat Building with 3 Floors and Cellar						
Permission Is Hereby Granted To: Kady Group Inc		Owner Address: 9324 ANNAPOLIS ROAD 20706		PERMIT FEE: \$2,493.34		
Permit Type: New Building	Existing Use: Other (Specify)		Proposed Use: Two-Family Flat - R-3		Plans:	
Agent Name: Ousman Ba	Agent Address: 6700 Belcrest Road #402 20782	Existing Dwell Units:	Proposed Dwell Units: 2	No. of Stories: 3	Floor(s) Involved: 3	
Conditions/ Restrictions:						
This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov, Lead and Healthy Housing.						
Director: Nicholas A. Majett		Permit Clerk Keith Hawkins				
TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639 FOR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557 TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557						



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Issue Date: 12/06/2013

Expiration Date: 12/06/2014

PERMIT NO. B1402346

Address of Project: 2112 3RD ST NE		Zone:	Ward:	Square: 3561	Suffix:	Lot: 0049
Description Of Work: Upon digging test holes see building Permit No B 1307457, Need to underpin neighbors property at 2110 3rd Street						
Permission is Hereby Granted To: Kessington Place Llc		Owner Address: 9324 ANNAPOLIS RD LANHAM, MD 20706-3104			PERMIT FEE: \$150.15	
Permit Type: Alteration and Repair	Existing Use: Single Family		Proposed Use: Single Family			Plans:
Agent Name: Ousman Ba	Agent Address: 6700 Belcrest Road #402 20782	Existing Dwell Units: 2	Proposed Dwell Units: 2	No. of Stories: 3	Floor(s) Involved: 1	
Conditions/ Restrictions: This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund Lead Paint Abatement: Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2003' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://hdc.dc.gov , Lead and Healthy Housing.						
Director: Nicholas A. Majett		Permit Clerk: Patrice Derricott				
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Issue Date: 10/31/2013

Expiration Date: 10/31/2014

PERMIT NO. B1307456

Address of Project: 2114 3RD ST NE		Zone:	Ward: 5	Square: 3561	Suffix:	Lot: 0006
Description Of Work: New two family flat Building with 3 Floors and Cellar						
Permission Is Hereby Granted To: Kady Group Inc		Owner Address: 9324 ANNAPOLIS ROAD, LANHAM MD 20706		PERMIT FEE: \$2,493.34		
Permit Type: New Building	Existing Use: Other (Specify)		Proposed Use: Two-Family Flat - R-3		Plans:	
Agent Name: Ousman Ba	Agent Address: 6700 Belcrest Road #402 20782	Existing Dwell Units:	Proposed Dwell Units: 2	No. of Stories: 3	Floor(s) Involved: 3	
Conditions/ Restrictions: Building shall have sprinkler systems						
This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead-based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov, Lead and Healthy Housing.						
Director: Nicholas A. Majett		Permit Clerk Keith Hawkins				
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Issue Date: 12/03/2013

PERMIT NO. **B1309364**

Expiration Date: 12/03/2014

Address of Project: 2116 3RD ST NE		Zone:	Ward: 5	Square: 3561	Suffix:	Lot: 0007
Description Of Work: New 2 Unit Building with 3 Floors and Cellar						
Permission Is Hereby Granted To: Eckington Station Llc		Owner Address: 9324 ANNAPOLIS ROAD, LANHAM MD 20706		PERMIT FEE: \$1,174.42		
Permit Type: New Building	Existing Use: Single Family Dwelling - R-3		Proposed Use: Two-Family Flat - R-3		Plans:	
Agent Name: Ousman Ba	Agent Address: 6700 Belcrest Road #402 20782	Existing Dwell Units:	Proposed Dwell Units: 2	No. of Stories: 3	Floor(s) Involved: 3	
Conditions/ Restrictions: This Permit Expires If no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov, Lead and Healthy Housing.						
Director: Nicholas A. Majett		Permit Clerk Donya Jackson				
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Issue Date: 12/03/2013

PERMIT NO. B1309365

Expiration Date: 12/03/2014

Address of Project: 2118 3RD ST NE		Zone:	Ward: 5	Square: 3561	Suffix:	Lot: 0007
Description Of Work: New 2 Unit Building with 3 Floors and a Cellar						
Permission Is Hereby Granted To: Eckington Station Llc		Owner Address: 9324 ANNAPOLIS ROAD, LANHAM MD 20706			PERMIT FEE: \$1,174.42	
Permit Type: New Building	Existing Use: Single Family Dwelling - R-3		Proposed Use: Two-Family Flat - R-3		Plans:	
Agent Name: Ousman Ba	Agent Address: 6700 Belcrest Road #402 20782	Existing Dwell Units:	Proposed Dwell Units: 2	No. of Stories: 3	Floor(s) Involved: 3	
Conditions/ Restrictions:						
This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov, Lead and Healthy Housing.						
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Issue Date: 10/31/2013

Expiration Date: 10/31/2014

PERMIT NO. B1307394

Address of Project: 2120 3RD ST NE		Zone:	Ward: 5	Square: 3561	Suffix:	Lot: 0008
Description Of Work: New 2 Unit Building with 3 Floors and Cellar						
Permission Is Hereby Granted To: Kady Group Inc		Owner Address: 9324 ANNAPOLIS ROAD 20706		PERMIT FEE: \$2,493.34		
Permit Type: New Building	Existing Use: Other (Specify)		Proposed Use: Two-Family Flat - R-3		Plans:	
Agent Name: Ousman Ba	Agent Address: 6700 Belcrest Road #402 20782	Existing Dwell Units:	Proposed Dwell Units: 2	No. of Stories: 3	Floor(s) Involved: 3	
Conditions/ Restrictions:						
This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov, Lead and Healthy Housing.						
Director: Nicholas A. Majett		Permit Clerk Stacie Williams				
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Issue Date: 10/31/2013

PERMIT NO. B1307393

Expiration Date: 10/31/2014

Address of Project: 2122 3RD ST NE		Zone:	Ward: 5	Square: 3561	Suffix:	Lot: 0009
Description Of Work: New 2 Unit Building with 3 Floors and Collar						
Permission Is Hereby Granted To: Kady Group Inc		Owner Address: 9324 ANNAPOLIS ROAD 20706		PERMIT FEE: \$2,493.34		
Permit Type: New Building	Existing Use: Other (Specify)		Proposed Use: Two-Family Flat - R-3		Plans:	
Agent Name: Ousman Ba	Agent Address: 6700 Belcrest Road #402 20782	Existing Dwel Units:	Proposed Dwel Units: 2	No. of Stories: 3	Floor(s) Involved: 3	
Conditions/ Restrictions: This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov, Lead and Healthy Housing.						
Director: Nicholas A. Majett		Permit Clerk: Stacie Williams				
TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1839 FOR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557 TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557						



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Issue Date: 12/03/2013

PERMIT NO. B1309366

Expiration Date: 12/03/2014

Address of Project: 2124 3RD ST NE		Zone:	Ward: 5	Square: 3561	Suffix:	Lot: 0010
Description Of Work: New 2 Unit Building with 3 Floors and Cellar						
Permission Is Hereby Granted To: Eckington Station Llc		Owner Address: 9324 ANNAPOLIS ROAD, LANHAM MD 20706		PERMIT FEE: \$1,174.42		
Permit Type: New Building	Existing Use: Single Family Dwelling - R-3		Proposed Use: Two-Family Flat - R-3		Plans:	
Agent Name: Ousman Ba	Agent Address: 6700 Belcrest Road #402 20782	Existing Dwell Units:	Proposed Dwell Units: 2	No. of Stories: 3	Floor(s) Involved: 3	
Conditions/ Restrictions: This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2006' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov, Lead and Healthy Housing.						
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Issue Date: 12/03/2013

PERMIT NO. B1309367

Expiration Date: 12/03/2014

Address of Project: 2126 3RD ST NE		Zone:	Ward: 5	Square: 3561	Suffix:	Lot: 0812
Description Of Work: New 2 Unit Building with 3 Floors and Cellar						
Permission Is Hereby Granted To: Eckington Station Llc		Owner Address: 9324 ANNAPOLIS ROAD, LANHAM MD 20706			PERMIT FEE: \$1,631.14	
Permit Type: New Building	Existing Use: Other (Specify)		Proposed Use: Two-Family Flat - R-3		Plans:	
Agent Name:	Agent Address:	Existing Dwell Units:	Proposed Dwell Units: 2	No. of Stories: 3	Floor(s) Involved: 3	
Conditions/ Restrictions:						
This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund Lead Paint Abatement Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable paint activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to http://ddoe.dc.gov, Lead and Healthy Housing.						
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GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



November 10, 2014

Olusola Sulekoiki
Kessington Place L.L.C.
9324 Annapolis Road
Lanham, MD 20706

RE: Application of Inclusionary Zoning to 2112-2126 3rd Street NE

Dear Mr. Sulekoiki:

It has come to our attention that a multi-dwelling development of flats located at 2112 – 2126 3rd Street NE is subject to the Inclusionary Zoning (IZ) regulations pursuant to 11 DCMR Chapter 26. More specifically, § 2602.1 provides that IZ applies to developments of 10 or more dwelling units which are:

“New one-family dwellings, row dwellings, or flats constructed concurrently or in phases on contiguous lots or lots divided by an alley, if such lots were under common ownership at the time of construction...” (Section 2602.1(c)(2)).

As such, please complete the attached Certificate of Inclusionary Zoning Compliance (CIZC) application and return it promptly to my office. If a CIZC has already been executed or the project is considered exempt from the IZ requirements, please submit any supportive documentation. In the meantime, no additional building permits or Certificates of Occupancy will be issued for this development until IZ compliance is addressed.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachments: CIZC Application

cc: Adeniyi Talabi (Agent for Owner)



DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
CERTIFICATE OF INCLUSIONARY ZONING COMPLIANCE (CIZC) APPLICATION

SECTION A - BUILDING PERMIT AND PROJECT INFORMATION (All information must match building permit application, where applicable)

1. Name of Inclusionary Development			2. Address of Inclusionary Development		
3. Square/Suffix	4. Lot(s)	5. Zoning District/Overlay District	6. Zoning Commission or BZA Order (if applicable)	7. Building Permit Application Date: _____ Number: _____	
8. Owner of Building or Property		9. Owner Address (include ZIP code)		10. Owner Phone # & Email	
11. Agent for Owner		12. Agent Address (include ZIP code)		13. Agent Phone # & Email	
14. Is the development exempt from IZ? ☐ Yes (attach a detailed explanation, including DHCD certification pursuant to 11 DCMR § 2602.8). ☐ No		15. Primary Construction Method ☐ Steel and/or Concrete ☐ Other (such as stick built)	16. Total Area of the Lot(s) of the Inclusionary Development _____ sq. ft.	17. Total Gross Floor Area (all uses) _____ sq. ft.	
18. Total Residential Floor Area located in: Cellar: _____ sq. ft. Enclosed public space projections: _____ sq. ft.		19. Total Residential Gross Floor Area (including Cellar and Projection Area if applicable) _____ sq. ft.	20. Ratio of Total Net Residential Area to Total Residential Gross Floor Area _____	21. Total Net Residential Area _____ sq. ft.	22. Total Net Residential IZ Required _____ sq. ft.

SECTION B - IZ UNIT CLASSIFICATION

Unit or Dwelling Type		All Units (#)	Market Rate Units (# and % of total Market Rate Units)	IZ Units (# and % of total IZ units)	IZ Income Set Aside (#)	
					50% of AMI	80% of AMI
Multiple Dwellings	Studio and 1-bedroom units		#: _____ %: _____	#: _____ %: _____		
	2 or more bedroom units		#: _____ %: _____	#: _____ %: _____		
	Total		#: _____ %: _____	#: _____ %: _____		
Single household dwellings and flats	Single household dwellings		#: _____ %: _____	#: _____ %: _____		
	Flats		#: _____ %: _____	#: _____ %: _____		
	Total		#: _____ %: _____	#: _____ %: _____		

SECTION C - IZ UNIT ITEMIZATION (If more than 10 units, continue unit information on a supplemental page)

No.	Inclusionary Unit Number, Dwelling Address, or Lot	Net Square Feet	Number of Bedrooms	Income Set-Aside 50% of AMI or 80% of AMI	Estimated Date of Availability	Right of Return (Y/N)	Off-site unit for another IZ Development? (Attach BZA Order)
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
Total Net Residential IZ Proposed: _____ sq. ft.							

SECTION D – OTHER REQUIREMENTS

- | | | |
|---|---|--|
| 1. Do the bedrooms meet the definition provided in 14 DCMR § 2299.1? ☐ Yes ☐ No | 2. Will the construction be phased?
☐ Yes (attach a phasing plan) ☐ No | 3. Review Section G and check the box to acknowledge that necessary information and materials for the <i>Information</i> and <i>Analysis</i> checklists have been provided: ☐ |
|---|---|--|

SECTION E - PROJECT ARCHITECT'S OR PROJECT ENGINEER'S INCLUSIONARY UNIT CERTIFICATION

1. Name:	2. D.C. Lic. No.	3. Address: (include ZIP code)	4. Phone # and Email
----------	------------------	--------------------------------	----------------------

I certify to the best of my knowledge that the size of each Inclusionary Unit is at least ninety-eight percent (98%) of the average size of the same type of Market Rate unit in the Inclusionary Development, or at least ninety-eight percent (98%) of the size indicated on the table found in 14 DCMR Chapter 22 Inclusionary Zoning Implementation §2202.4(f).

Signature of Project Architect/Engineer: _____ Date: _____

SECTION F - APPLICANT'S SIGNATURES

Owner: I hereby certify that I am the owner of the property, that the application and plans are complete and correct to the best of my knowledge, that if a permit (or permits) is issued, construction will conform to the D.C. construction codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature: _____ Address: _____ Date: _____

Agent: I hereby certify that I have the authority of the owner to make this application. I declare that the application and plans are complete and correct to the best of my knowledge, that if a permit (or permits) is issued, construction will conform to the D.C. construction codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature: _____ Address: _____ Date: _____

SECTION G - ZONING ADMINISTRATOR CHECKLIST OFFICIAL USE ONLY

	Yes	No	N/A	Comments
Information: Is the application complete?				
1. Does CIZC information match the building permit application?	1. ☐	1. ☐	1. ☐	
2. Floor plans and elevations (with IZ units identified in the floor plans)	2. ☐	2. ☐	2. ☐	
3. DC surveyor's plat	3. ☐	3. ☐	3. ☐	
4. Copy of draft Inclusionary Development Covenant	4. ☐	4. ☐	4. ☐	
5. Schedule of interior finishes, fixtures, equipment, and appliances comparing market rate and IZ units	5. ☐	5. ☐	5. ☐	
6. Copy of phased development plan	6. ☐	6. ☐	6. ☐	
7. Copy of Board of Zoning Adjustment or Zoning Commission Order	7. ☐	7. ☐	7. ☐	
8. DHCD letter of exemption from IZ	8. ☐	8. ☐	8. ☐	
9. \$250 application fee (made out to DC Treasurer)	9. ☐	9. ☐	9. ☐	
10. Are all signatures present?	10. ☐	10. ☐	10. ☐	
Analysis: Does the application demonstrate compliance?				
1. Is the net square footage of the Inclusionary Units sufficient?	1. ☐	1. ☐	1. ☐	
2. Are the exterior design, materials and finishes of the Inclusionary Units comparable to the market rate units?	2. ☐	2. ☐	2. ☐	
3. Are interior finishes and appliances of the Inclusionary Units comparable to market rate units?	3. ☐	3. ☐	3. ☐	
4. Are the Inclusionary Units of the appropriate minimum size?	4. ☐	4. ☐	4. ☐	
5. Is the proportion of Inclusionary studio and 1-bedroom Units less than the proportion of market rate studio and 1-bedroom units?	5. ☐	5. ☐	5. ☐	
6. Are Inclusionary Units overly concentrated on any floor?	6. ☐	6. ☐	6. ☐	
7. Are Inclusionary Units split appropriately between 50% and 80% of AMI?	7. ☐	7. ☐	7. ☐	
8. Will the Inclusionary Units be constructed at a proportional rate to the market rate units?	8. ☐	8. ☐	8. ☐	
9. Are any Inclusionary Units located off-site?	9. ☐	9. ☐	9. ☐	

ZONING ADMINISTRATOR – This certifies that the Certificate of Inclusionary Zoning Compliance is hereby: ☐ Approved ☐ Denied due to the items checked above.

Signed: _____ Date: _____



One Church Street, Suite 300 • Rockville, MD 20850
301.468.8848 • 301.762.1008 Fax
www.capitalbankmd.com

January 7, 2015

RE: Olusola Sulekoiki
Kessington Place, LLC
2112-2126 3rd Street, NE
Washington, DC
Acquisition & Construction Loan #2555
Loan Amount: \$4,555,000

To Whom It May Concern:

Please be advised that Capital Bank has provided financing as referenced above for the purchase of the subject parcel(s) and the development & construction thereon of sixteen (16) residential condominium units. This loan was approved and closed subject to certain terms and conditions including (but not limited to):

1. A maximum loan to value ratio of 76% of the "net" or "discounted" sellout value of the "as-completed" improvements, said value determined by the Bank in its sole & absolute discretion.

It has come to our attention that the District of Columbia may now require two (2) of the subject units to be sold at reduced pricing under its Inclusionary Zoning regulation.

The current loan to value ratio for this loan, based upon our most recent appraised value of the "as-completed & discounted" value of the improvements, is 75.9%. Any reduction in the projected sales prices for two of the units due to an Inclusionary Zoning requirement would trigger an event of default under our maximum loan to value provision.

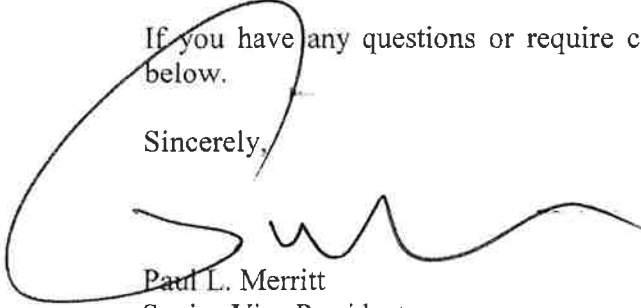
Furthermore, the letter to Mr. Sulekoiki dated November 10, 2014 from the District's Department of Consumer And Regulatory Affairs states that "*no additional building permits or Certificates of Occupancy will be issued for this development until IZ compliance is addressed*". This also triggers numerous events of default under our loan documents regarding the Borrower's ability to continuously construct the planned improvements and to deliver & sell condominium units, which ultimately are the primary repayment source for our loan.

At the very least, the subject loan will need to be re-underwritten and possibly modified to address these issues. This may entail re-appraisal, modification of loan documents, curtailment of the outstanding loan balance, and associated costs & fees.

The granting of any modification of the loan would be at the discretion of the Bank's Loan Committee, which may or may not decide to continue with financing of the subject project depending upon the exact circumstances and parameters of the requested modification. If the Bank decides that it is no longer in its best interest to continue financing the subject project, we would declare an event(s) of default, accelerate the loan balance and demand payment.

If you have any questions or require clarification you may contact me at the number below.

Sincerely,



Paul L. Merritt
Senior Vice President
Real Estate Lending
(240)-283-1906



One Church Street | Suite 300 | Rockville, MD 20850
www.capitalbankmd.com | P: 301.468.8848

Helping Business Grow

April 23, 2015

Via E-Mail to darryls@kadygroup.com

Olusola "Darryl" Sulekoiki
Kady Group, Inc.
P.O. Box 130
Lanham, MD 20703

RE: Request for secondary lien in relation to IZ Requirement by DCRA
2112-2126 3rd Street, NE, Washington, DC

Dear Darryl:

I'm in receipt of your request to pledge Units A & B of 2124 3rd Street, NE, Washington, DC in relation to Inclusionary Zoning compliance. Given that any secondary lien or encumbrance on any units would constitute an event of default under the loan documents, Capital Bank must deny your request.

If you have any questions, you may contact me at the number below.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul L. Merritt", written over a large, loopy flourish.

Paul L. Merritt
Senior Vice President
Real Estate Lending
(240) 283-1906