

JOHN J. CHAGNON
5603 - 14th Street, NW
Washington, DC 20011

August 16, 2004

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VIA FACSIMILE
727-6072

Jerrily R. Kress, FAIA Director
Board of Zoning Adjustment
441 4th Street, NW , 210-S
Washington, D.C. 20001

Re: BZA Matter 16839
Court of Appeals - No 02-AA-1279
Vacated and Remanded

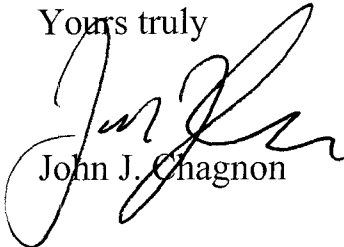
Dear Ms. Kress:

As you know, the DC Court of Appeals ruled on March 8, 2004 vacating the decision of the BZA to issue a certificate of occupancy to Metro Day Treatment Centers located at 5507 to 5511 14th Street, NW as a child/elderly development center. The Court in so vacating remanded the matter back to the BZA for actions not inconsistent with the order issued.

To my knowledge, the BZA has taken no action in this regard and the operator continues to operate with the certificate of occupancy. In the next few weeks six months will have run since the Order was issued. If the BZA has not taken affirmative steps to comply with the Court's Order in the next 14 days, I will seek the assistance of the Court of Appeals again.

If you have any questions, please call me at 202-722-1922.

Yours truly


John J. Chagnon

BZA
Case No. 16839
Exhibit No. 40

Board of Zoning Adjustment
District of Columbia
CASE NO.16839
EXHIBIT NO.40

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Washington, D.C. 20001

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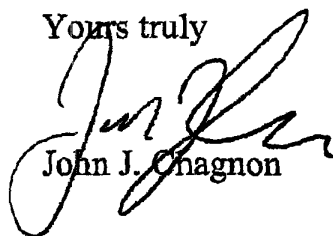
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