Attachment E

Kahlow, Barbara

From: Kelly, Bob (DCRA) [Bob.Kelly@dc.gov]
Sent: Thursday, August 29, 2002 10:35 AM
To: Henry, Richard (OIC)
Cc: Kahlow, Barbara
Subject: FW: FOIA for documents relating to GWU's 1957 E Street, NW

Mr. Henry
This is my first request please advise
Thanks
Bob

-----Original Message-----
From: Kahlow, Barbara [mailto:Barbara.Kahlow@mail.house.gov]
Sent: Wednesday, August 28, 2002 5:31 PM
To: bob.kelly@dc.gov
Cc: alan.bergstein@dc.gov
Subject: FOIA for documents relating to GWU's 1957 E Street, NW

RECEIVED
D.C. BOARD OF ZONING ADJUSTMENT
2002 SEP 23 PM 2:16

Bob - thanks for your return call this afternoon informing me that: (1) you sent GWU/Charles Barber an e-mail today about GWU's noncompliance with certain terms of the Zoning Order for 1957 E Street, & (2) DCRA will finally issue GWU a citation tomorrow for this noncompliance. In our earlier conversation this afternoon, you informed me that, unbeknownst to you, one of your subordinates erroneously issued a Certificate of Occupancy (CofO) to GWU for 1957 E Street on 8/16/02 (i.e., contrary to your telephone representations to me on 8/22/02, 8/26/02 & 8/27/02 that DCRA had NOT yet issued a CofO).

Since your Counsel inexplicably would not allow you to provide me with a copy of your e-mail today to Charles Barber, under the Freedom of Information Act (FOIA), on behalf of the West End Citizens Association, please provide me (f: 225-2441 or home address: 2555 Penn. Ave., NW #404, DC 20037) with a copy of all correspondence (including e-mails) between DC (DCRA, Corporation Counsel, etc.) & GWU (including its outside counsel) about 1957 E Street as well as all related documents (including a copy of the 8/16/02 CofO & any citation issued tomorrow). Please be sure to include today's e-mail to Charles Barber & the e-mail you sent informing GWU that you would not agree to serve as an escrow agent under GWU's Rube-Goldberg proposal. Time is of the essence to us.

Thank you. - Barbara

-----Original Message-----
From: Kahlow, Barbara
Sent: Monday, August 26, 2002 11:08 AM
To: 'bob.kelly@dc.gov'
Cc: 'alan.bergstein@dc.gov'
Subject: RE: Certificate of Occupancy for GWU's 1957 E Street, NW

Bob - thanks for confirming on Thurs. 8/22/02 that DC had NOT yet issued a CofO for 1957 E Street due to GWU's noncompliance with certain terms in the Zoning Order, as the WECA outlined in a Tues. 8/20/02 letter to you. As of this AM, the Foundation has still not received a check.

Astonishingly, GWU opened the building for occupancy WITHOUT a CofO. Here's an electronic link to an article in The GW Hatchet, student newspaper, which I just received: <http://gwhatchet.com/news/262702.html> (the full text is also provided below). The article says that students began to move in on Sat. 8/17/02 (i.e., a day after issuance of the Zoning Order)!!! Will you please issue a citation, fine, etc. AT ONCE & fax me a copy (f: 225-2441)? What other remedies do you recommend to address GWU's illegal occupancy?

Students move into 1957 E St.
By Julie Gordon

Featuring views of national monuments, the State Department and the Capitol, GW's newest residence hall opened to students Aug. 17 after a two-year legal struggle that made some residents nervous about whether they would be able to move in this August.

While the 1957 E St. residence hall will open on time for fall semester, the academic and retail portions of the Elliott

BZA
Case No. 16950
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO.16950
EXHIBIT NO.4