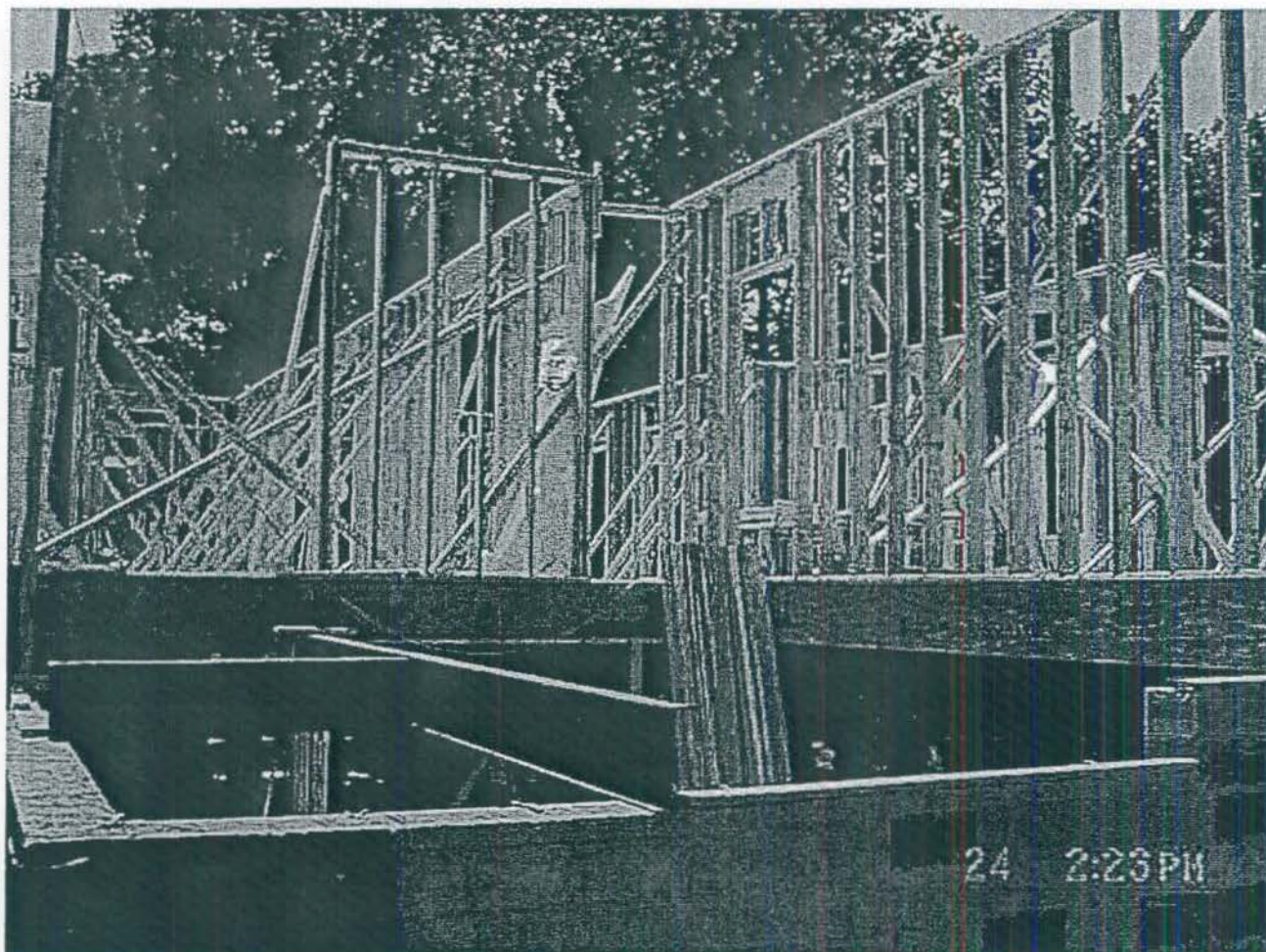




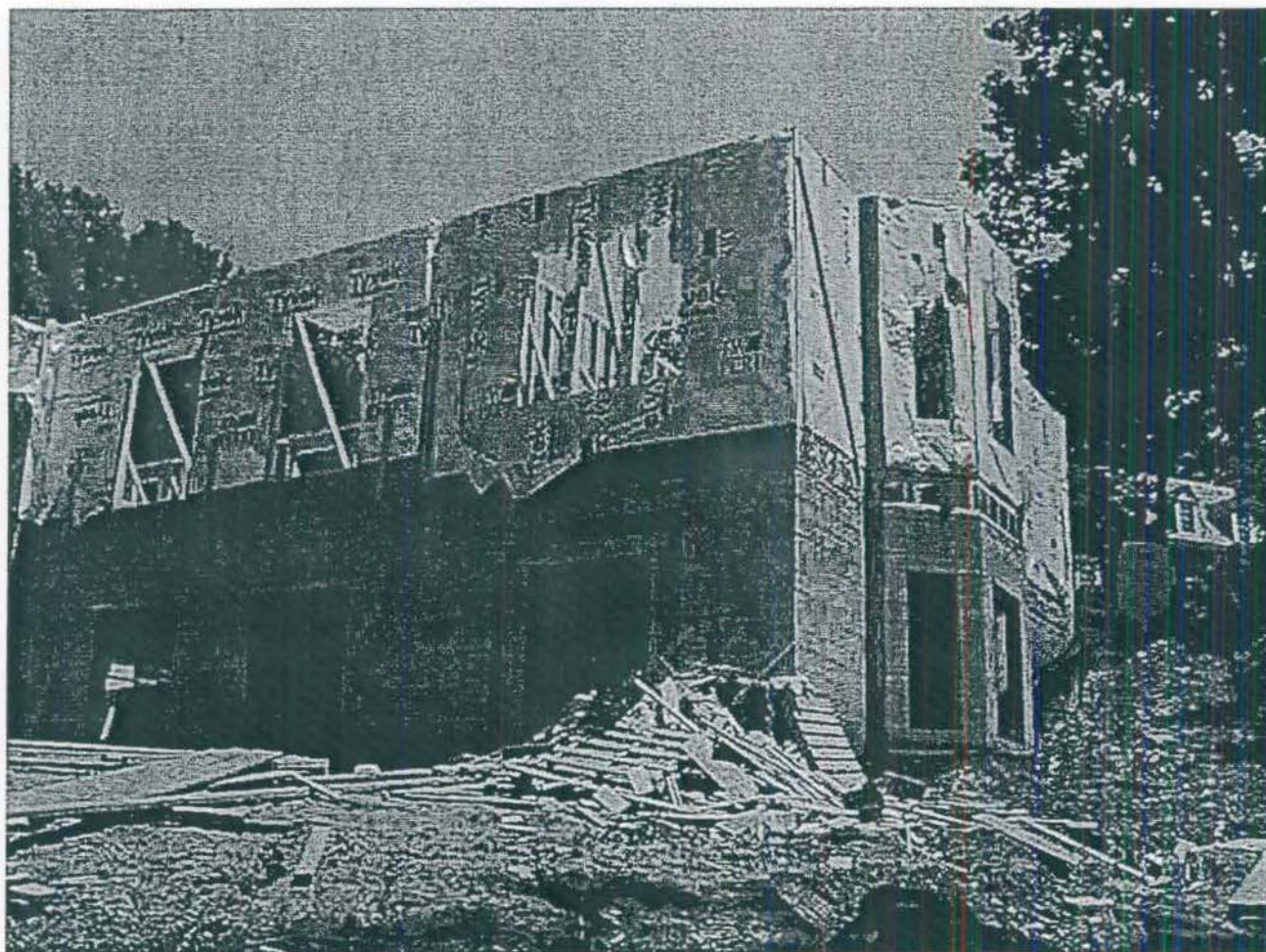
DCRA/066 FOIA #5176
PUBLIC RECORDS



DCRA/066 FOIA #5176
PUBLIC RECORDS

DCRA-FOIA-00179

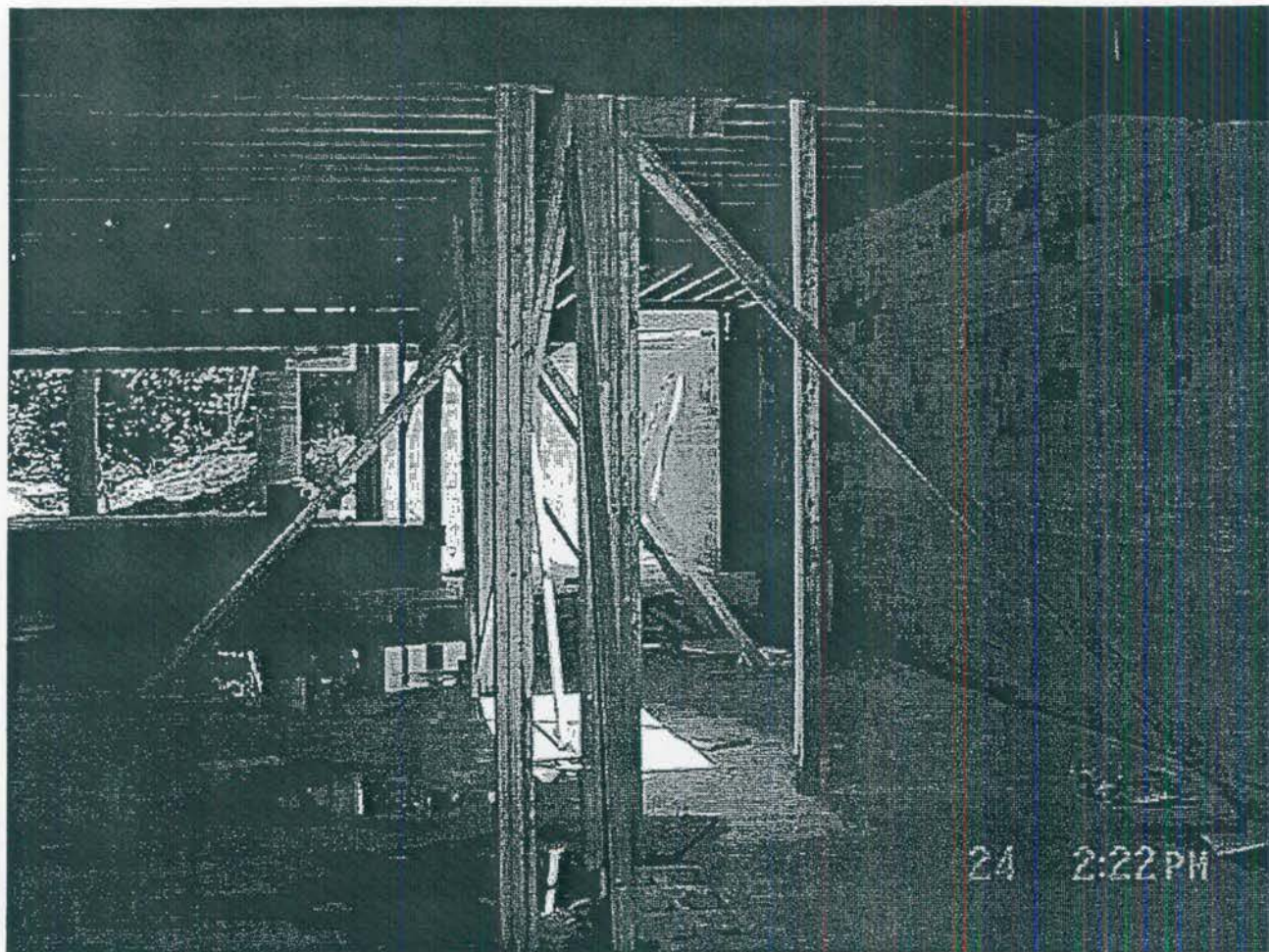
11/30/2004



DCRA/066 FOIA #5176
PUBLIC RECORDS

DCRA-FOIA-00180

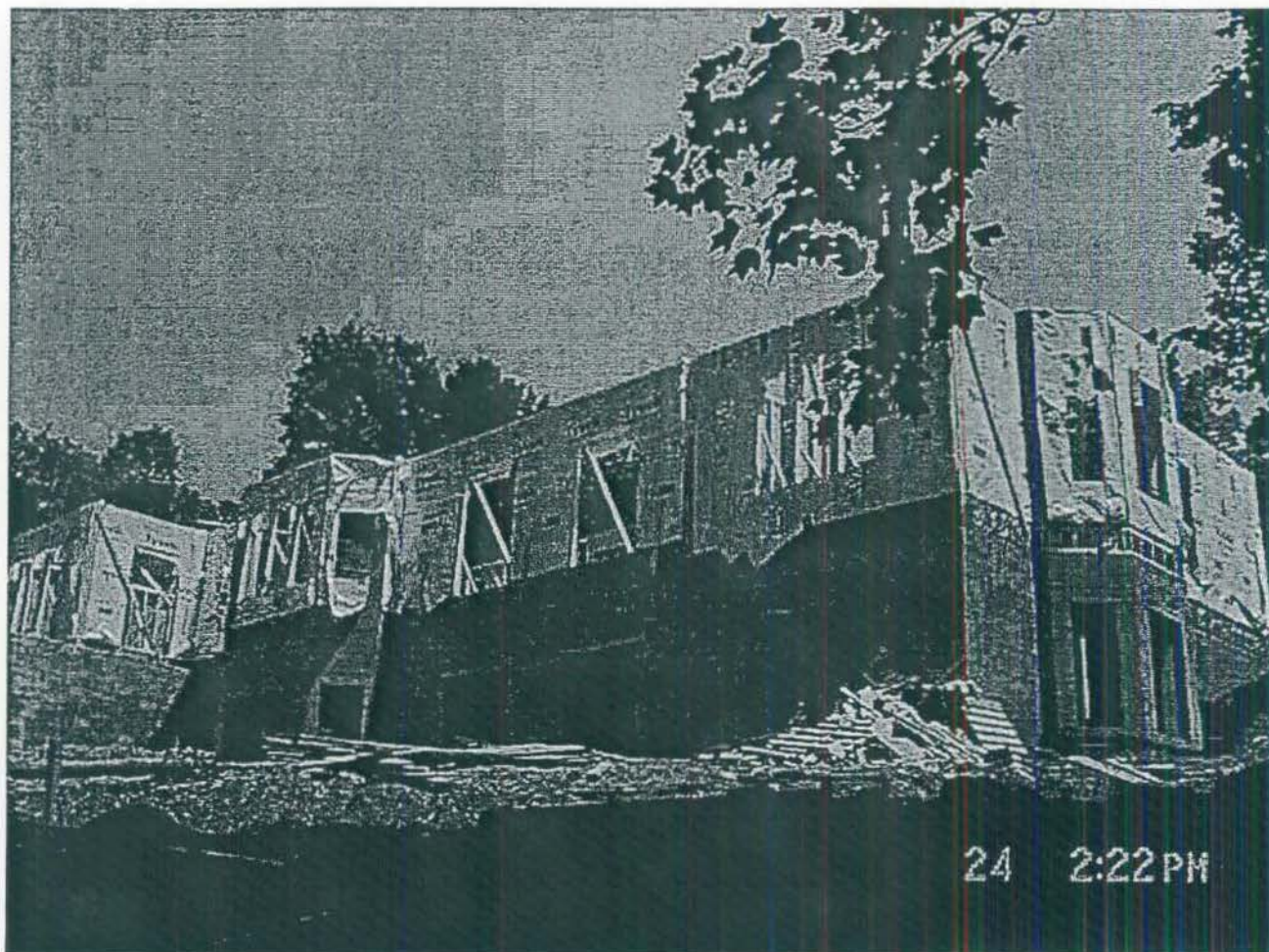
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DCRA/066 FOIA #5176
PUBLIC RECORDS

DCRA-FOIA-00181

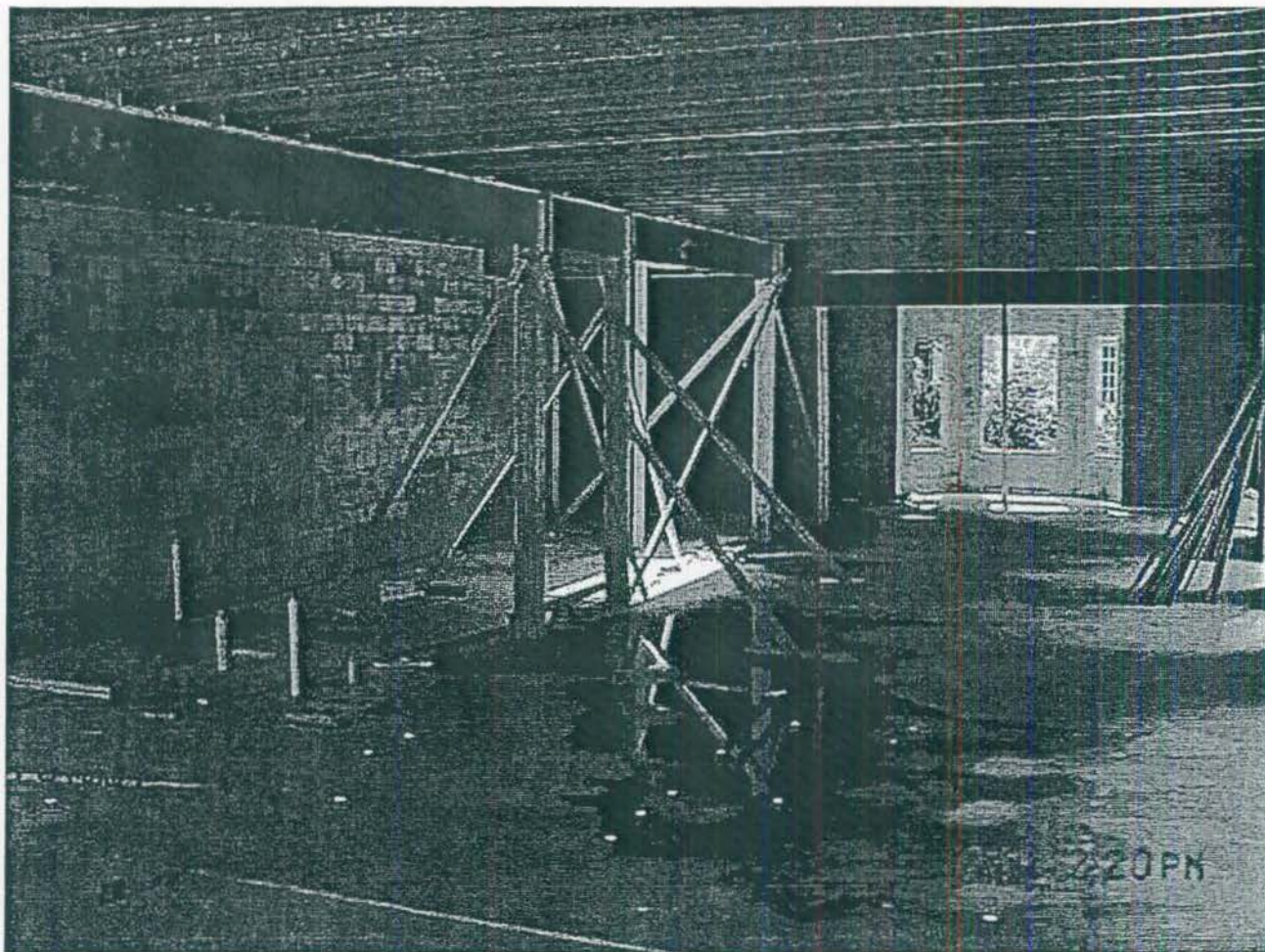
11/30/2004



DCRA/066 FOIA #576
PUBLIC RECORDS

DCRA-FOIA-00182

11/30/2004



DCRA/OGC FOIA #5176
PUBLIC RECORDS

DCRA-FOIA-00183

11/30/2004

District of Columbia Government
Department of Consumer and Regulatory Affairs
Office of the General Counsel

941 North Capitol Street, NE
Suite 9400
Washington, D.C. 20002
Office: (202) 442-8475
Fax: (202) 442-9447

FACSIMILE

To:

Mr. Patrick J. Carome
Wilmer Cutler Pickering
Hale and Dorr LLP
Washington, D.C. 20037

Phone: (202) 663-6000

Fax: (202) 663-6363

	Extension of Time	Date:	Pages:	w/cover
	FOIA Correspondence	Date:		w/cover
X	Department's response	Date: February 18, 2005	10	w/cover
	Withdrawal/Cancellation	Date:		w/cover

From: Deborah Britt *DB*
Freedom of Information Act Officer
(202) 442-9544

Comments:

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs

Office of the General Counsel



February 18, 2005

Via Facsimile and U.S. Mail

Mr. Patrick J. Carome
4747 Fulton Street, N.W.
Washington, D.C. 20007

RE: FOIA Request for 4825 Dexter Terrace, NW

Dear Mr. Carome:

This is a partial response to your January 10, 2005, Freedom of Information Act (FOIA) request received January 10, 2005, by the District of Columbia Department of Consumer and Regulatory Affairs' (DCRA and Department), Office of the General Counsel, FOIA Unit. The request concerns 4825 Dexter Terrace, NW, and Frank and Constandina Economides.

As follow-up to your FOIA request, on January 27, 2005, Anne Harden contacted the undersigned for a status of the Department's response. Ms. Harden was informed that the public may inspect and receive copies of approved architectural drawings, application for permits, building permits, plats, corporation records, and business license certifications from DCRA and that a FOIA request is not required to access the records. She was also notified that requests for records maintained and controlled by other District of Columbia agencies should be made directly to the custodian of records for response. The Office of the General Counsel has forwarded your request to the appropriate divisions for response.

The January 10 request seeks the following:

1. [A]ll documents of any and every sort pertaining to the residential property located at 4825 Dexter Terrace, Lot 0806, Square 1381 (hereinafter "4825 Dexter Terrace") owned by Constandina and/or Frank Economides, including but not limited to:
 - a) All permits, permit applications and all documents relating to Permits and permit applications for work or construction or any other activity performed or proposed to be performed at 4825 Terrace;

- b) All construction plans or drawings of any sort relating to any construction activity proposed to be performed or performed at 4825 Dexter Terrace;

In response to part 1.a-b of the above, the Building and Land Regulation Administration (BLRA) conducted a record search and located 35 permit application and permit records on the above-referenced subject, which may be responsive to your request. However, the BLRA was unable to produce the original application documents and related architectural drawings for review. The undersigned will contact you when the plans are available for public inspection and copying.

- c) All records pertaining to any inspection(s) performed at 4825 Dexter Terrace by DCRA officials or any other person, including any private inspector;
- d) All records pertaining to any wall check(s) or attempted wall check(s) performed on any wall, structure or building at 4825 Dexter Terrace;
- e) All records having anything whatsoever to do with the so-called "retaining wall" that is being or has been constructed on or around a portion of the perimeter of 4825 Dexter Terrace;
- f) All records of surveys or plats of the 4825 Dexter Terrace site or any part of the site;

In response to part 1.c-f of the above, the BLRA conducted a search and located six pages of inspection activity reports, nine third-party inspection records, a wall test report/plat, and a 37-page report titled "Mesa Site Retaining Wall, Final Designs for the Economides Residence," which may be responsive to your request.

In addition, should you wish to receive copies of other land surveys and plats, the public may research, inspect, and receive copies (at cost) from the Office of the Surveyor, Suite 2700, 941 North Capitol Street, NE, Washington, D.C. For further assistance, please contact that office at (202) 442-4660.

- g) All records constituting or relating to Stop Work Orders issued in connection with 4825 Dexter Terrace, including the Stop Work Order or Orders issued in early November 2004;

In response to part 1.g of the above, the BLRA conducted a search and located seven pages on the subject, responsive to your request.

- h) All records relating to any fines or penalties or citations imposed by any governmental unit or agency for any acts or omissions relating to the 4825 Dexter Terrace site, including but not limited to the performance of work in excess of any pennit, the making of

any unpermitted curb cuts, the felling of any trees, improper razing of a building without any valid permit, inadequate erosion control, environmental damage, work performed in violation of any Stop Work Order, lack of public space permits for the placement of any dumpster(s) or other items on a street or other public space, damage or misuse of public streets or other property, or construction activity at times or on days when construction activity was not allowed.

In response to part 1.h of the above, please see the Department's response under part 1.g of your request.

- i) All records relating to Inspector Juan Scott's activities or lack of activities relating to monitoring construction or building activity or otherwise performing any of his duties in connection with the 4825 Dexter Terrace site at any time.

In response to part 1.i of the above, please see the Department's response under part 1.c-f of your request.

- j) All documents relating to fines imposed by DCRA or any other D.C. or federal governmental entity in connection with or relating to the 4825 Dexter Terrace site;

In response to part 1.j of the above, the Department conducted a search, which did not result in the location of records on the subject.

- k) All records relating to environmental concerns, environmental protection, or environmental damage relating to the 4825 Dexter Terrace site, including but not limited to the lack of, or inadequacy of, or failures of, silt fencing or other similar mechanisms.

In response to part 1.k of the above, the BLRA conducted a search and located an Environmental Impact Form, Lead Hazard Control Permit Questionnaire, and Construction Permit Application Form, which may be responsive to your request. The records are contained in the building permit records referenced under the Department's response to part 1.a-b of your request.

- l) All records relating to zoning matters, including zoning violations or zoning approvals, pertaining to the 2845 Dexter Terrace site.

In response to part 1.l of the above, in addition to zoning information contained in the permit records (see part 1.a-b), the Zoning Administration located a Zoning Computation Sheet and Wall Test Report on the subject.

- 2. All documents of any and every sort (including but not limited to handwritten notes, memos, emails, agendas, task lists, expense records)

pertaining to any meeting, telephone call, email conversation or other communication or interaction between, on the one hand, Constandina and/or Frank Economides or any person representing or acting on behalf of either of them, and, on the other hand, any employee(s) or representative(s) of the DCRA or any other unit or agency within the District of Columbia government, including but not limited to:

- a) All documents pertaining to any meeting or other event attended by Constandina or Frank Economides or any person representing or purporting to represent either or both of them, including but not limited to any such meeting that occurred on or about November 8, 2004, which meeting may have been attended by, among other persons, Theresa Lewis and/or Juan Scott.
- b) All documents constituting or pertaining to correspondence of any sort (including but not limited to emails and any other forms of written communication) to or from either or both of the Economides or any person or entity representing them or purporting to act on their behalf;
- c) All documents pertaining to any telephone call or other communication to or from Constandina and/or Frank Economides or any person representing or purporting to represent either or both of them;
- d) Any and all documents reflecting or relating to any communication of any sort relating to the 4825 Dexter Terrace site which took place during or after the pendency of any Stop Work Order or Order to Correct that was issued by DCRA in connection with that site in November 2004.

In response to part 2.a-d of the above, the BLRA conducted a search and located 11 pages on the subject. However, the FOIA Unit has not completed its review of correspondence and electronic mail records. The undersigned expects that a determination of those records will be made by *Thursday, February 24, 2005*.

- 3. All documents constituting or pertaining to any permit or permit application of any sort (including but not limited to construction permits, occupancy permits, business licenses, or liquor licenses or permits) sought by or on behalf of Constandina and/or Frank Economides or any entity in which either of them has any ownership interest in connection with any property or business located anywhere within the District of Columbia.

The Department is unable to process part 3. of your request, because it does not provide a sufficient description of records to conduct a search. The Department will process your request for "permit and business license" records. However, to initiate a search, the requester must supply relevant information such as business activity, trade name, and location.

If you are seeking copies of *approved architectural plans, applications for permits and permits* on file with the Department, the public may inspect and copy the records located in the Building and Land Regulation Administration, Records Management Section, 941 North Capitol Street, NE, Suite 2100, Washington, D.C. For public procedures and copy costs, please contact that section at (202) 442-4480 for further assistance.

If you are seeking information pertaining to specific business activity, the public may verify *business license and permit requirements*, or request *license certification* letters from the Business and Professional Licensing Administration, Business Services Division, 941 North Capitol Street, NE, Suite 1100, Washington, D.C. For public procedures and fees, please contact that division at (202) 442-4311 for assistance.

If you are seeking information on *domestic or foreign corporation registrations*, the public may inspect and copy corporate registration records on file with the Business and Professional Licensing Administration, Corporations Division, 941 North Capitol Street, NE, Suite 7200, Washington, D.C. For public procedures and copy costs, please contact that division at (202) 442-4432 for assistance.

For alcoholic beverage related permits, you may also wish to contact the Alcoholic Beverage Regulation Administration (ABRA), 941 North Capitol Street, NE, Suite 7200, Washington, D.C., for records on the subject. The telephone number is (202) 727-4423.

Should you wish to pursue access to public records the Department has determined to be available to the public for inspection and copying, please contact the undersigned to schedule a date and time for inspection. The inspection and copying of records requested will be made pursuant to the respective office's inspection and copy procedures.

4. All documents constituting or pertaining to any Stop Work Order issued by any governmental authority in connection with construction or other work at 4825 Dexter Terrace, including but not limited to the Stop Work Order(s) issued on or about November 2, 2004.

In response to part 4. of the above, please see the Department's response under part 1.g of your request.

5. All documents constituting or pertaining to any Stop Work Order issued by any governmental authority in connection with construction or other work on any other property owned by Frank or Dina Economides or by any company or other entity in which either of them has any interest.

In response to part 5. of the above, the BLRA conducted a search, which did not result in the location of records, responsive to your request.

6. All documents constituting or pertaining to any Order to Correct issued to either Frank or Constandina Economides or any company or entity in which either of them has any interest, including but not limited to the Order to Correct issued to Constandina Economides on November 8, 2004, in connection with 4825 Dexter Terrace, NW.
7. All documents constituting or pertaining to communications or interactions of any sort (including but not limited to correspondence, e-mails, telephone calls, or meetings) between any office(s) or employee(s) of the District of Columbia (including, but not limited to, David Clark, Theresa Lewis, Juan Scott, any one else employed with the DCRA, Adrian Sanders, any one else employed within the D.C. Police Department, anyone employed within the D.C. Department of Health, or anyone employed within the D.C. Department of Transportation) and any of the following persons:
 - a) Constandina Economides
 - b) Frank Economides
 - c) any agent, representative of either Constandina or Frank Economides or any other person who appeared to be representing them or acting on their behalf.
8. All documents constituting or pertaining to any communications or interactions of any sort (including but not limited to correspondence, e-mails, telephone calls, meetings, or other oral communications) relating in any way to Mr. or Mrs. Economides or 4825 Dexter Terrace, NW that occurred between or among (i) anyone within DCRA and (ii) any of the following persons or offices:
 - a) Anyone within the D.C. Metropolitan Police Department, including but not limited to Sergeant Forbes, Officer Kennedy, or Officer Adrian Sanders (all of the 2nd Police District).
 - b) Any member of the D.C. City Council or any person on the staff of such a member, including but not limited to Kathy Patterson and Penny Pagano.
 - c) Anyone in the D.C. Office of Zoning;
 - d) Any person on the D.C. Board of Zoning Adjustment or its staff;
 - e) Any member of any ANC body, including but not limited to Alma Gates.
 - f) Any employee or representative of the D.C. Department of Transportation.

- g) The D.C. Inspector General or anyone who works for or represents the D.C. Inspector General;
- h) The D.C. Attorney General or anyone in the office of the D.C. Attorney General;
- i) Mayor Anthony Williams or anyone within the Office of the Mayor;
- j) Any employee or representative of the D.C. Department of Health (including but not limited to its Watershed Division), including but not limited to Colin Burrell and Peter Nuwyanju (spelling of names uncertain).
- k) Any employee or representative of the U.S. Park Service, including Detective John Critchfield and Park Manager Joe Kish (spelling of names uncertain).
- l) Any official, employee or representative of the United States Attorney's Office for the District of Columbia, including but not limited to Timothy Lucas.

In response to part 6 through 8 of the above, the Department has conducted a record search. However, the undersigned has not completed reviewing related correspondence and electronic mail records. The undersigned expects that a determination of those records will be made by *Thursday, February 24, 2005*.

In addition, you may also wish to contact the following District of Columbia offices for records and information on the subject:

Terry Ryan, FOIA Officer
Metropolitan Police Department
300 Indiana Avenue, NW - Room 4125
Washington, D.C. 20001
Telephone: (202) 727-4129

Alberto Bastida, FOIA Officer
Office of Zoning
441 4th Street, NW - Suite 210S
Washington, D.C. 20001
Telephone: (202) 727-0330

Jennifer Jacobson, FOIA Officer
Department of Transportation
2000 14th Street, NW - 5th Floor
Washington, D.C. 20009
Telephone: (202) 671-3492

Dangkhoa Nguyen, FOIA Officer
Office of the Inspector General
717 14th Street, NW - Suite 500
Washington, D.C. 20005
Telephone: (202) 727-9566

Thomas Collier, FOIA Officer
Department of Health
825 North Capitol Street, NE - Suite 4121
Washington, D.C. 20002
Telephone: (202) 442-5973

Tarifah Coaxum, FOIA Officer
Office of the Attorney General
441 4th Street, NW
Washington, D.C. 20001
Telephone: (202) 442-5480

Emma Clark, FOIA Officer
Department of Public Works
2000 14th Street, NW - 6th Floor
Washington, D.C. 20009
Telephone: (202) 671-2030

9. All documents constituting or pertaining to any and all complaints or inquiries that any person or unit within the DCRA or any other component of the District of Columbia government has ever heard or received from any person relating to Frank Economides, Dina Economides, Economides Collections, Big Ball LLC, any other company or entity owned or controlled in whole or in part by the Economides, 4825 Dexter Terrace NW, 5524 MacArthur Ave. NW, 5524 ½ MacArthur Ave NW, 5526 MacArthur Ave. NW, 5528 MacArthur Ave. NW, 5525 Sherrier Place, NW, or any other real property owned or developed by any of these persons or entities, including but not limited to:
- a) The complaints or inquiries themselves;
 - b) Any and all documents responding to any such complaint or inquiry;
 - c) Any and all documents pertaining to any meeting relating to any such complaint or inquiry.

In response to part 9. of the above, the Office of the General Counsel's Dispute Resolution Specialist staff provide as public information, the number of complaints filed against a business and the year. The undersigned conducted a search and located a six-page complaint on the subject. Additionally, the Housing Regulation Administration conducted a search and located 68 pages on the subject.

The records contain the name and home and work telephone number of individuals, which is being withheld from public disclosure based on an exemption contained in the FOIA statute, D.C. Official Code § 2-534 (a) (2), to protect the individual from an unwarranted invasion of personal privacy. The release of this information to the public does not outweigh the personal privacy interest of the individual, as disclosure would inhibit the public from reporting illegal acts or filing complaints, thereby diminishing the agency's ability to perform its services or have open and frank discussions regarding such acts. Accordingly, the office has redacted the individual's name, home address, and telephone number from the complaint form and investigatory report that will be available for public inspection. The information is withheld from public disclosure by Deborah Britt, FOIA Officer for the Department of Consumer and Regulatory Affairs, 941 North Capitol Street, NE, Suite 9400, Washington, D.C.

The public may also research, inspect, and copy tenant petition complaints on file with the Department's Housing Regulation Administration (HRA), Suite 7100, 941 North Capitol Street, NE. Washington, D.C. For public inspection procedures and copy costs, please contact that HRA Customer Service at (202) 442-4610 for assistance.

The BLRA conducted a search, which did not result in the location of inspection complaints records responsive to your request.

You may either inspect or receive a copy of the record to which you are entitled. There is no fee to inspect the records. To inspect the records, please contact the undersigned at (202) 442-9544, to schedule a date and time for inspection. Should you wish copies of the records, all fees must be paid before the records are copied. The inspection will take place in the Office of the General Counsel, 941 North Capitol Street, NE, Suite 9400, Washington, D.C. Pursuant to your February 18, 2005, telephonic communication, you or your designee is scheduled to pay the copy fee and pickup the records on *Tuesday, February 22, 2005, at 10:30 am.*

The Department may charge a fee of \$.25 per page for copies made by photocopy machines or, where no fee has been established by FOIA, the Department may charge the direct cost of reproduction to the agency. 1 DCMR § 408.1(c) and 408.2. The cost to reproduce 185 pages at \$.25 per page is \$45.25. In addition, the cost to reproduce the wall test plat is \$1.50. Therefore, the total cost for copies of the records is \$47.75. Fees may be paid in cash, check, or money order, payable to the "D.C. Treasurer." The Department did not assess a search fee for processing this request.

If you deem any portion of this letter to constitute a denial of your FOIA request, you have the right to appeal to the Mayor or to seek immediate judicial review in the District of Columbia Superior Court. An appeal to the Mayor shall be in writing, and shall include (1) a statement of the circumstances, reasons, or arguments advanced in support of disclosure, and (2) a copy of this letter. If you require additional information, please contact the undersigned at (202) 442-9544.

Sincerely,

Deborah Brit
Freedom of Information Act Officer