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November 18, 2004

VIA HAND DELIVERY

Toye Bello
Zoning Administrator
District of Columbia, Department of Consumer
and Regulatory Affairs
941 North Capitol Street, NE
Suite 2000
Washington, DC 20002

Re: Notice of Proposed Revocation of Certificate of Occupancy for Wagtime, LLC

Dear Mr. Bello:

Please accept this letter submitted on behalf of Lisa Schreiber and Wagtime, LLC as our request to challenge the Notice of Proposed Revocation of Certificate of Occupancy Number CO 69395. The Notice of Proposed Revocation was received by certified mail on November 15, 2004. Accordingly, this challenge is timely filed as required under DCRA rules.

As requested, we are providing a copy of this letter to the Office of the Attorney General.

Please contact me if there are any questions in this regard.

Sincerely yours,

HOLLAND & KNIGHT LLP

Edward L. Donohue

Edward L. Donohue

ELD/ls
Enclosures

cc: Lisa Schreiber (w/encl.)
Julie Lee (w/encl.)

BZA
CASE No. 17325
3

Board of Zoning Adjustment
District of Columbia
CASE NO. 17325
EXHIBIT NO. 3

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Zoning Administrator

Lisa Schreiber
and
WagTime, LLC
1412 Q Street, N.W.
Washington, D.C. 20009

NOTICE OF PROPOSED REVOCATION OF CERTIFICATE OF OCCUPANCY NUMBER CO69395

This is official notice that the District of Columbia Department of Consumer and Regulatory Affairs ("the Department") intends to revoke Certificate of Occupancy Number CO69395, issued to Wagtime, LLC on January 28, 2004. The Department is taking this action pursuant to 12 DCMR § 110.5.3 (2003) which authorizes the Director to revoke a Certificate of Occupancy found to have been issued in error. On October 15, 2004, the Board of Zoning Adjustment (BZA), in Appeal Number 17092, found that Certificate of Occupancy Number CO69395 was issued in error in that *"dog boarding as a principal use is not permitted as a matter of right in the C-3-A/Arts zone district"* (see attached BZA Appeal Number 17092).

You have the right to challenge this proposed action. In order to exercise your right to a hearing, you must request it in writing within ten (10) calendar days of your receipt of this Notice. Your request may be mailed first class U.S. mail, postage pre-paid, to Office of Administrative Hearings, P. O. Box 77718, Washington, D.C. 20002. Alternatively, you may hand-deliver your written request for a hearing to the Office of Administrative Hearings, 941 North Capitol St., N.E., Suite 9100, Washington, D.C. 20002, within ten (10) calendar days of your receipt of this notice.

If you decide to request a hearing, you should also send a copy of your request, pleading or written communication in this case to the Department of Consumer and Regulatory Affairs, Office of the General Counsel, 941 North Capitol St., N.E., Suite 9400, Washington, D.C. 20002. Please be advised that, if you do not request a hearing within the time and manner specified in this notice, or fail to appear at a scheduled hearing, such failure will result in the immediate revocation of your Certificate of Occupancy without a hearing. Should you request a hearing, you will be notified by the Office of Administration Hearings of the hearing date and time.

Date: November 12, 2004

Toye Bello
Zoning Administrator

cc: Edward L. Donohue, Esq. and Steven E. Sher, Esq.
on behalf of WagTime, LLC
Holland & Knight LLP
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006