

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**Application No. 21325 CJB Investments, LLC**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle U § 253.4, with a waiver from Subtitle U § 253.9(a), to allow an accessory apartment on the first and second floors of an accessory structure and a special exception under Subtitle D § 5201 from the building area requirements for an accessory building of Subtitle D § 1105.4 to allow a second-story addition to an existing one-story accessory building, not meeting building area requirements, in the rear yard of an existing two-story attached principal dwelling in the R-3/GT Zone at 3253 P Street, N.W. (Square 1255, Lot 206).

**HEARING DATE:** July 23, 2025  
**DECISION DATE:** July 30, 2025

**DECISION AND ORDER**

This self-certified application was filed on May 2, 2025 on behalf of CJB Investments, LLC (the “Applicant”), the owner of the property that is the subject of the application. Following a public hearing, the Board voted to approve the application.

**PRELIMINARY MATTERS**

Notice of Application and Notice of Hearing. In accordance with Subtitle Y §§ 400.4 and 402.1, the Office of Zoning provided notice of the application and public hearing, by letters dated May 20, 2025, to the Applicant, the Office of Planning (“OP”), the District Department of Transportation, the Department of Buildings, Advisory Neighborhood Commission (“ANC”) 2E, the ANC in which the subject property is located, and Single Member District 2E03, the Office of Advisory Neighborhood Commissions, the Councilmember for Ward 2 as well as the Chairman and the four at-large members of the D.C. Council, the Historic Preservation Office, the Commission of Fine Arts, and the owners of all property within 200 feet of the subject property. Notice was published in the *District of Columbia Register* on May 30, 2025 (72 DCR 006311) as well as through the calendar on the Office of Zoning website.

Parties. Pursuant to Subtitle Y § 403.5, the Applicant and ANC 2E were automatically parties in this proceeding. At a public meeting on July 16, 2025, the Board granted requests for party status in opposition to the application submitted by Rolf, Pat, and Caroline Sartorius, Linda M. Pfeifle and Albert J. Amori, Kevin Barnes, Monica Bauer, Arno Liuksila, and Chester Crocker and Pamela

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Aall, a group of residents living on P Street or Volta Place near the subject property. (Exhibits 22-23.)

Applicant's Case. The Applicant presented evidence and testimony, including from Eric Teran, the project architect, in support of the request for zoning relief needed to allow the enlargement of an existing one-story accessory structure and its use as an accessory apartment.

OP Report. By memorandum dated July 10, 2025, the Office of Planning recommended approval of the application. (Exhibit 28.)

ANC Report. At a public meeting on June 30, 2025, with a quorum present, ANC 2E adopted a resolution not opposing the application. (Exhibit 24.)

Parties in opposition. The parties in opposition provided evidence and testimony opposing the Applicant's request for zoning relief, including from Guillermo Rueda as an expert in zoning. The parties in opposition asserted that the Applicant's project would be inconsistent with other properties on the block and would adversely affect neighboring properties with respect to light, air, privacy, noise, traffic, and parking, especially pertaining to the use of a private alley for access to the proposed accessory apartment. (Exhibits 22-23, 34.)

**FINDINGS OF FACT**

1. The property that is the subject of this application is an interior lot on the north side of P Street N.W. between Wisconsin Avenue and 33<sup>rd</sup> Street, with the address 3253 P Street, N.W. (Square 1255, Lot 206).
2. The subject property is generally rectangular, with approximately 18 feet of frontage along P Street. A portion at the rear of the lot is 21.4 feet wide, extending 22 feet from the rear lot line. The subject property is 150 feet deep and has a lot area of 2,792 square feet. (Exhibits 2, 4.)
3. The subject property is improved with a two-story row building, with a cellar, and an accessory building in the rear yard.<sup>1</sup> The existing lot occupancy is approximately 51.2 percent. (Exhibits 2, 4.)
4. The principal building extends approximately 53 feet from the front lot line. The accessory building abuts the rear (north) and side lot lines, extending approximately 21.6 feet wide and 22 feet deep. (Exhibit 2.)

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<sup>1</sup> For zoning purposes, a “row building” is defined as a “building that has no side yards.” The Applicant’s building is not attached to another building on its west side, where the subject property abuts a private alley, but the building extends to each side lot line of the subject property and therefore has no side yards. The Applicant’s principal building is not a semi-detached building, which is defined by the Zoning Regulations as “A building that has only one (1) side yard.” (See Subtitle B § 100.2.)

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5. The area between the principal and accessory buildings, which extends approximately 75 feet, is configured as a brick patio near the principal building and a driveway providing access to the accessory building. The patio is bounded by a low brick wall topped with vegetation extending along the west and north edges of the patio. (Exhibits 2, 21A.)
6. The existing accessory building, which has been used as a garage, is one story and nine feet in height. Its building area is approximately 470 square feet.
7. The Applicant proposed to enlarge the existing accessory building with a second-story addition and to use both floors as an accessory apartment. The first floor will contain a kitchen and living/dining area while the second floor will be configured as a bedroom and full bathroom with an internal stair connecting to the first floor. (Exhibit 21A.)
8. The second floor will be constructed to follow the existing exterior walls, resulting in a building area of approximately 470 square feet on the second floor. The addition will increase the height of the accessory building to approximately 19 feet.
9. The two existing garage doors on the south façade of the accessory building will be replaced with two bi-folding doors. The second floor of the south façade will contain four casement windows facing the principal building at the subject property. The accessory building will have no windows on either floor on the north, east, or west sides.
10. The Applicant's accessory building is one of three similar accessory buildings that share party walls. The Applicant's accessory building is furthest east of the three; its west side abuts the middle of the three accessory buildings.
11. The accessory apartment will be accessible via a private alley that extends into the interior of Square 1255 from P Street between the subject property and the dwelling to the west (Lot 884, 3255 P Street, N.W.). The private alley is approximately 8.6 feet wide and is part of Lot 884. The easement allowing use of the private alley as a driveway has been in existence since at least 1946 and granted perpetual rights for all parties to the easement, including the owner of the subject property. (Transcript of July 23, 2025 at 125, 146.)
12. The two-story dwelling to the west of the subject property has five windows on each floor, toward the rear of the dwelling, that overlook the private alley.
13. The Applicant will provide one vehicle parking space in the paved portion of the subject property between the patio and the accessory building.
14. The subject property is located in the Georgetown historic district.
15. Properties abutting the subject property to the north contain principal dwellings in row buildings that front on Volta Place. The abutting lot to the east, as well as the lot to the west across the private alley, also contain residential row buildings.

16. The neighborhood surrounding the subject property is characterized by low- to moderate-density residential uses in attached and semi-detached buildings. A public elementary school is located across P Street to the south and a predominantly commercial area is located a half-block to the east along Wisconsin Avenue.
17. The subject property is located in a Georgetown Residential House (R) zone, R-3/GT.
18. The Residential House zones are residential zones, designed to provide for stable, low- to moderate-density residential areas suitable for family life and supporting uses. (Subtitle D § 101.1.) The R zones are intended to: (a) provide for the orderly development and use of land and structures in areas predominantly characterized by low- to moderate-density residential development; (b) recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city; (c) allow for limited compatible accessory and non-residential uses; (d) allow for the matter-of-right development of existing lots of record; (e) establish minimum lot area and lot width for the subdivision and creation of new lots of record; and (f) discourage multiple dwelling unit development. (Subtitle D § 101.2.)
19. The purpose of the R-3 zone is to allow for row houses, while including areas within which row houses are mingled with detached houses, semi-detached houses, and groups of three or more row houses. The R-3 zone is intended to permit attached row houses on small lots. (Subtitle D §§ 101.8 and 101.9.)
20. The purposes of the Georgetown Residential House zones are to:
  - (a) protect the Georgetown National Historic Landmark District and its historic character, buildings, and open space in a manner consistent with the goals and mandates of the Historic Landmark and Historic District Protection Act of 1978, and the Old Georgetown Act, approved September 22, 1950 (64 Stat. 903; D.C. Official Code §§ 6-1201-1206);
  - (b) protect the integrity of “contributing buildings,” as that term is defined by the Historic Landmark and Historic District Protection Act of 1978;
  - (c) recognize the compatibility of any development with the purposes of the Old Georgetown Act and the Historic Landmark and Historic District Protection Act of 1978;
  - (d) limit permitted ground coverage of new and expanded buildings and other construction to encourage a general compatibility between the siting of new or expanded buildings and the existing neighborhood; and
  - (e) retain the quiet residential character of these areas and control compatible nonresidential uses. (Subtitle D § 1100.2.)

**CONCLUSIONS OF LAW AND OPINION**

The Applicant seeks a special exception under Subtitle U § 253.4, with a waiver from Subtitle U § 253.9(a), to allow an accessory apartment on the first and second floors of an accessory structure and a special exception under Subtitle D § 5201.2(b) from the building area requirements for an accessory building of Subtitle D § 1105.4 to allow a second-story addition to an existing one-story accessory building, not meeting building area requirements, in the rear yard of an existing two-story attached principal dwelling in the R-3/GT Zone at 3253 P Street, N.W. (Square 1255, Lot 206). The Board is authorized under § 8 of the Zoning Act (D.C. Official Code § 6-641.07(g)(2)), to grant special exceptions, as provided in the Zoning Regulations, where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, subject to specific requirements. (See Subtitle X § 901.2.)

Accessory apartment. In the R-3/GT zone, an accessory apartment may be permitted in an accessory building if approved by the Board as a special exception subject to the provision of Subtitle U §§ 253.1, 253.4.) The Applicant requested a special exception under Subtitle U § 253.4, with a waiver from Subtitle U § 253.9(a), to allow an accessory apartment on the first and second floors of an accessory structure. The Board is authorized under Subtitle U § 253.10 to waive certain requirements, including the restriction stated in Subtitle U § 253.9(a), subject to limitations. Based on the findings of fact, and having given great weight to the recommendation of the Office of Planning and to the report of ANC 2E, the Board concludes that the application satisfies the requirements for approval of the requested special exception.

Under Subtitle U § 253.5, either the principal dwelling or the accessory apartment must be owner-occupied for the duration of the accessory apartment use. The Applicant indicated that the principal dwelling or the accessory apartment will be owner-occupied for the duration of the accessory apartment use. (Exhibit 18A.)

Under Subtitle U § 253.6, the total number of persons who may occupy the accessory apartment must not exceed three, and, in the R-3/GT zone, the aggregate number of persons who may occupy the house, including both the principal dwelling and the accessory apartment combined, must not exceed six. The new accessory apartment will contain less than 950 square feet of space on two levels, including one bedroom and one full bathroom. The Applicant indicated that the maximum occupancy of the accessory apartment will be two people and that the total number of persons at the subject property, including the principal dwelling and the accessory apartment combined, will not exceed six. (Exhibits 11, 18A.)

Under Subtitle U § 253.8, an accessory apartment in an accessory building must have permanent access such that the dwelling use of the accessory building is coterminous with the permanent access. (Subtitle U §§ 253.8(a), (b).) The permanent access must be provided consistent with specific requirements, which may include a “permanent passage, open to the sky, no narrower than eight feet (8 ft.) in width, and extending from the accessory building to a public street through a

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side setback or shared recorded easement between properties.” (Subtitle U § 253.8(c)(1).) The application demonstrated that the planned accessory apartment will be accessible via a shared recorded easement, which is open to the sky and more than eight feet wide, extending from P Street to the accessory building. The Applicant’s accessory building will not provide a roof deck and will not be used simultaneously for any use other than accessory apartment. (Exhibits 18A, 21A.)

Under Subtitle U § 253.9(a), an accessory apartment in an accessory building in the R-3/GT zone is limited to “the second story of a detached accessory building.”<sup>2</sup> The Applicant proposed to use both floors of a two-story accessory building, which is detached from the principal building on the same lot, as an accessory apartment. Under Subtitle U § 253.10, the Board may waive the requirement stated in Subtitle U § 253.9(a) provided that the modification will not conflict with the intent of Subtitle U § 253 to maintain a single household residential appearance and character. (Subtitle U § 253.10(c).) The Board agrees with the Applicant and the Office of Planning that approval of the requested waiver will not conflict with the existing single-household residential appearance and character of the subject property. The Applicant proposed to use both floors of an accessory building as an accessory apartment, rather than solely the second floor. The existing accessory building has a single story, and the Applicant proposed a second-story addition of the same size. The accessory building is located at the rear of the subject property, visible from the abutting public street only via a private alley less than nine feet wide. Approval of the application will not alter the appearance of the principal dwelling or increase the number of persons living at the subject property.

Maximum building area. The Applicant also requested a special exception under Subtitle D § 5201.2 from the building area requirements for an accessory building of Subtitle D § 1105.4 to allow a second-story addition to an existing one-story accessory building that does not meet the applicable building area requirements. The existing accessory building has a building area of 470.8 square feet, and the Applicant proposed to add a second story of the same size. Pursuant to Subtitle D § 1105.4, the building area of an accessory building in the R-3/GT zone within five feet of a private vehicular alley must not exceed 450 square feet.

In accordance with Subtitle D § 5201.2(b), the Board is authorized to grant relief as a special exception from specific development standards, including the maximum building area, for an enlarged building accessory to a residential building with one principal dwelling on a non-alley lot. An application for a special exception under Subtitle D § 5201 must demonstrate that the proposed addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property; specifically, (a) the light and air available to neighboring properties must not be unduly affected, (b) the privacy and use of enjoyment of neighboring properties must not be unduly compromised, and (c) the proposed addition, together with the original building, as viewed from the street, alley, or other public way, must not substantially visually intrude on the character, scale, and pattern of houses along the street or alley frontage. (Subtitle D § 5201.4.) Based on the findings of fact, and having given great weight to the

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<sup>2</sup> The Applicant’s proposal did not include a balcony or any projecting window in the enlarged accessory building; accordingly Subtitle U § 253.9(b) did not apply to the application.

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recommendation of the Office of Planning and to the report of ANC 2E, the Board concludes that the application satisfied the requirements for approval of the requested zoning relief.

The Board concludes that the Applicant's proposed second-story addition to the existing accessory building will not unduly affect the light and air available to neighboring properties. The accessory building, as enlarged, will not exceed the applicable limit on height in terms of number of stories and will be approximately three feet lower than the maximum height in terms of feet. The planned addition will not decrease the lot occupancy or rear yard setback that currently exists at the subject property. As demonstrated by the Applicant's shadow study, which compared the proposed addition to a new second floor that would be permitted as a matter of right, the additional 21 square feet of building area on the second floor of the accessory building will result in minimal impacts on the light and air available to neighboring properties. (See Exhibit 21A.) The Board was not persuaded by the parties in opposition that the second-story addition would unduly affect the light and air available to neighboring properties. Their argument was based in part on an assertion that the Applicant "incorrectly highlights only the expanded building area as relevant to impact [when the] full impact of the second story needs to be weighed." (Exhibit 34.) The Board disagreed, because the Zoning Regulations permit, as a matter of right in the R-3/GT zone, an accessory building within five feet of an alley at a height of two stories and 22 feet in height. (See Subtitle D § 1105.4.) With respect to the size of the accessory building, the application requested relief only for the additional 21 square feet of building area on the second floor, which will have a negligible impact on the availability of light and air.<sup>3</sup>

The Board concluded that approval of the application will not unduly compromise the privacy and use of enjoyment of neighboring properties. The additional floor area will be contained within the accessory building and will not permit views into other properties except from the south façade, which will directly face the Applicant's dwelling from a distance of almost 75 feet from other nearby dwellings. The enlarged accessory building will not provide any projecting windows, balcony, or roof deck, thereby limiting potential views from the second floor. Views will also be limited by existing trees at the subject property, none of which will be removed in connection with the Applicant's project. (Exhibit 27A.)

The proposed addition, together with the original building, as viewed from a street, alley, or other public way, will not substantially visually intrude on the character, scale, or pattern of houses along

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<sup>3</sup> The Board was not persuaded by the parties in opposition that the planned enlargement of the accessory building required relief from Subtitle C § 202.2 to allow a second floor with the same building area as the nonconforming building area of the existing first floor. Under Subtitle C § 202.2, a nonconforming structure may be enlarged provided that the enlargement (a) will conform to the use and development standards and (b) will not increase or extend any existing nonconforming aspect of the structure or create any new nonconformity of the structure and addition combined. In this case, the second-floor addition will not conform to a development standard (the maximum building area of 450 square feet) and will extend the nonconforming aspect to the second floor. However, pursuant to Subtitle C § 202.2(c), any enlargement that would not meet the requirements of Subtitle C §§ 202.2(a) and (b) for the enlargement of a nonconforming structure may be permitted by "obtain[ing] relief from the applicable development standards." The application in this proceeding requested relief from the applicable development standard – a special exception under Subtitle D § 5201.2(b) from the building area requirements for an accessory building under Subtitle D § 1105.4 – and the Board determined that the application met the requirements for approval of that relief.

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the street or alley frontage. The enlarged accessory building will be minimally visible from P Street and the subject property is not served by any public alley. The second story will not visually intrude on the character, scale, or pattern of houses along the street frontage, some of which also have accessory buildings. (Exhibit 21A.) The enlarged accessory building will comply with applicable development standards aside from the additional square footage, which will not greatly affect the size of the accessory building as seen from any other property.

Subtitle X § 901.2. The Board concludes that approval of the requested zoning relief will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, as is required for approval of the application under Subtitle X § 901.2. The Applicant's project will continue the residential use of the subject property by retaining the existing principal dwelling and establishing an accessory apartment in an enlarged accessory building, consistent with applicable limits on the number of persons who may reside both in the accessory apartment and at the subject property in the aggregate. The project will meet applicable development standards aside from a small increase in building area for the new second floor, which will be consistent with the existing first floor. Approval of the requested relief is consistent with the intent of the Residential House zones to provide for the orderly development and use of land and structures in areas predominantly characterized by low-to-moderate density residential development and to recognize and reinforce the importance of neighborhood character, walkable neighborhoods, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city. Approval of the application is consistent with the purpose of the R-3 zone to allow for row houses mingled with detached houses, semi-detached houses, and groups of three or more row houses. Approval of the application is also consistent with the purposes of the Georgetown Residential House zones to protect the Georgetown National Historic Landmark District and its historic character, buildings, and open space as well as the integrity of contributing buildings, to permit limited ground coverage of expanded buildings to encourage a general compatibility between the siting of expanded buildings and the existing neighborhood, and to retain the quiet residential character of the area. The Board credits the Applicant's testimony that the Old Georgetown Board granted conceptual approval of the project, and that the request for approval of the building area greater than 450 square feet for the second-floor addition was consistent with that approval as a means to maintain "the continuity of the look" of the existing accessory building by constructing the second-floor addition to follow the existing exterior walls of the first floor. (Transcript of July 23, 2025 at 125, 149, 160.)

Approval of the requested zoning relief will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, as is also required for approval of the application under Subtitle X § 901.2. For the reasons discussed above, the Board concludes that the planned expansion of the existing accessory building, and its use as an accessory apartment, will not adversely affect the light, air, or privacy available to nearby properties. The Board credits the testimony of the Office of Planning that approval of the application would not likely result in undue impacts related to noise, traffic, or other objectionable conditions on neighboring properties. (Exhibit 28.) The Board did not agree with the parties in opposition that approval of the Applicant's proposal would constitute an inappropriate increase in density or that the planned accessory apartment would cause an increase in noise, parking, and traffic, especially

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with respect to vehicles using the private alley. Notwithstanding the use of the accessory building as an accessory apartment, the number of persons residing at the subject property will not increase beyond a maximum of six. The subject property will continue to provide one vehicle parking space, which the Applicant indicated would satisfy zoning requirements. The Board was not persuaded by unsubstantiated testimony by the parties in opposition that the accessory apartment use would cause adverse impacts arising from an increased demand for parking, additional traffic, or noise.

**Great weight.** The Board is required to give “great weight” to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04.) For the reasons discussed above, the Board agrees with OP’s recommendation that, in this case, the application should be approved.

The Board is also required to give “great weight” to the issues and concerns stated by an affected ANC. (D.C. Official Code § 1-309.10(d)(3)(A)). In this case, ANC 2E did not oppose the Board’s approval of the requested zoning relief and did not state any legally relevant issues or concerns to which the Board can give great weight.

Based on the findings of fact and conclusions of law, the Board concludes that the Applicant has satisfied the burden of proof for special exceptions under Subtitle U § 253.4, with a waiver from Subtitle U § 253.9(a), to allow an accessory apartment on the first and second floors of an accessory structure and under Subtitle D § 5201.2(b) from the building area requirements for an accessory building of Subtitle D § 1105.4 to allow a second-story addition to an existing one-story accessory building, not meeting building area requirements, in the rear yard of an existing two-story attached principal dwelling in the R-3/GT zone at 3253 P Street, N.W. (Square 1255, Lot 206). Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 21A.

**VOTE: 3-1-1** (Frederick L. Hill, Carl H. Blake, and Chrishaun S. Smith to APPROVE; Anthony J. Hood to DENY; one Board seat vacant)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**ATTESTED BY:**

  
SARA A. BARDIN  
Director, Office of Zoning

**FINAL DATE OF ORDER:** October 14, 2025

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PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.