

June 3, 2026 / Testimony for Cases 21416 and 21420

My name is Jahnavi Jagannath, and I am Empower DC's staff attorney and a DC resident. I am here to support the current tenants of Eastern Avenue and ensure that the city's anti-displacement goals in the Comprehensive Plan are being upheld.

11 DCMR, Section 901.2 states that the "BZA may grant a special exception when the relief requested will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps," with 901.3 putting the burden to prove no adverse impact on the applicant.

While the applicant has referenced this subsection in their submitted papers, they incompletely state the purpose and intent of the zoning regulations. 11 DCMR Subtitle 101.2d states that the regulations in this title and the Zoning Maps are designed with consideration of the "Requirement that zoning shall not be inconsistent with the Comprehensive Plan for the National Capital".

The 2021 Comprehensive Plan states, "Every effort should be made to avoid the long-term displacement of existing residents if the project is reconstructed," "Build affordable units first to minimize displacement and maximize the return of residents to their community," "Ensure that every effort possible is made to avoid permanent displacement of residents," and "Recognize the vulnerability of conversion to market rate housing... include, at a minimum, an equivalent number of affordable units, additional market rate units, and measures to avoid displacement of on-site residents."

As a reminder, zoning shall not be inconsistent with the Comprehensive Plan for the National Capital, and BZA has a responsibility to promote harmony with these stated goals in the 2021 Comp Plan. Because Section 901.4 allows the BZA to impose requirements to ensure compliance with the intent of the Zoning Regulations, we recommend the following requirements in order to make the application in harmony with the general purpose and intent of the Zoning Regulations:

1. Give remaining tenants an additional 120 days to find alternative housing.
2. On completion of the renovations, give remaining tenants first right to apply for new units in the building with a guarantee that their application will be accepted.
3. Make these units available to remaining tenants at a rental rate consistent with the original rent as of June 2026, subject to a proportional increase in rent for increased square footage.
4. Provide relocation assistance out and back into the building for remaining tenants.

Before conditional approval, BZA must compel the property owners to come into strict compliance with all DC law. The owner of the property did not submit a petition to the

Rent Administrator and Office of Tenant Advocate, in violation of § 42-3505.01(f), and failed to meet requirements on providing valid notice to vacate, having a valid business license, and proper registration of the property.

If Easten Avenue Holdings does come into compliance with DC law and BZA subsequently chooses to consider the application, we recommend that approval be made conditional upon these four requirements consistent with Section 901.2, to prevent ongoing displacement of low-income District residents, and denial unless these substantial requirements are set. Thank you for your time.