

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 25-03
Z.C. Case No. 25-03
2 18th Street SE
So Others Might Eat
Voluntary Design Review @ Square 1110, Lot 86
February 23, 2026**

Pursuant to notice, at its public hearing on February 23, 2026, the Zoning Commission for the District of Columbia (the “Commission” or “Z.C.”) considered the application (the “Application”) of So Others Might Eat (the “Applicant” or “SOME”) for Voluntary Design Review (“VDR”) approval pursuant to Subtitle X § 601.2 of the Zoning Regulations of the District of Columbia (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016 (“Zoning Regulations”), to which all references are made unless otherwise specified) for Lot 86 in Square 1110, also known as 2 18th Street SE (the “Property”), to renovate and expand an existing residential building. The Commission conducted the public hearing in accordance with the Commission’s Rules of Practice and Procedure in Subtitle Z. For the reasons below, the Commission hereby **APPROVES** the Application.

SUMMARY ORDER

I. FINDINGS OF FACT

THE APPLICANT

1. Established in 1970, SOME is a local nonprofit organization whose mission is to end homelessness and poverty. SOME develops, owns, and operates deeply affordable and supportive housing across the District of Columbia. (Exhibit [“Ex.”] 26.)

PARTIES

2. The following were automatically parties to this proceeding pursuant to Subtitle Z § 403.5:
 - A. The Applicant; and
 - B. Advisory Neighborhood Commission (“ANC”) 7D, the ANC in which the Property is located and so the “affected ANC” per Subtitle Z § 101.8.
3. The Commission received no requests for party status.

NOTICE

4. Pursuant to Subtitle Z § 301.6, the Applicant mailed a Notice of Intent to file the Application to ANC 7D and the owners of all property within 200 feet of the Property on October 16, 2024. (Ex. 3F.)
5. Pursuant to Subtitle Z § 402, the Office of Zoning (“OZ”) sent notice of the February 23, 2026 public hearing on December 31, 2025 and published notice of the public hearing in the December 29, 2025 *D.C. Register*, as well as on the calendar on OZ’s website. (Exs. 14-16.)
6. Pursuant to Subtitle Z § 402.3, the Applicant posted notice of the hearing on the Property on January 9, 2026 and maintained such notice in accordance with Subtitle Z § 402.10. (Exs. 17, 24.)

THE PROPERTY

7. The Property is located in the Southeast quadrant of the District of Columbia in the Lincoln Park/Hill East neighborhood of Ward 7. (Ex. 20A.)
8. The Property is bounded by East Capitol Street NE to the north, a public alley to the east, single family row homes to the south, and 18th Street SE to the west. Further, the Property is proximate to the Robert F. Kennedy Memorial Stadium Campus, across the street from the four-story East High School, and one block east from a large-scale planned unit development (“PUD”). (Exs. 20A, 20B1-B2.)
9. The Property contains approximately 6,864 square feet of land area and is currently improved with a three-story, 35-foot-tall rooming house that contains 59 rooming units (the “Building”). The rooming house provides housing for individuals who previously experienced homelessness who earn 0-30% of the area median income (“AMI”). (Exs. 20A, 26)
10. The Building was constructed in 1925 and has operated as a rooming house since 1993. The last major renovation was over 30 years ago. The Building features shared kitchens, shared bathrooms, and aging building systems. The layout of the Building no longer aligns with modern housing standards. (Exs. 20A, 26.)
11. In anticipation of a renovation, the Building is currently vacant. (2/23/2026 Transcript [“Tr.”] at 11, 16.)
12. As a rooming house with more than eight rooms, the Building is a legally nonconforming use in the RF-1 Zone District. (Ex. 20A.)

ZONING AND COMPREHENSIVE PLAN

13. The Property is located in the RF-1 Zone District. (Ex. 20A.)

14. The Property is located in the Moderate Density Residential land use category of the District of Columbia Comprehensive Plan Future Land Use Map. (Ex. 20A.)

II. THE APPLICATION

THE PROJECT

15. With the Application, the Applicant proposes to renovate and expand the Building to convert it from a three-story rooming house to a four-story apartment building with approximately 61 (within an approved range of 59–64) single-occupancy studio apartments, each with an individual kitchen and bathrooms (the “Project”). With the Project, the Building will be 100% affordable housing reserved for residents earning at or below 50% AMI. (Exs. 20A, 26.)
16. The proposed renovations are due to significant Building needs, including replacement of outdated mechanical, electrical, and plumbing systems as well as accessibility upgrades. Further, because shared kitchens and shared bathrooms can pose serious health risks during times of public health crises and do not adequately serve the needs of the residents, the proposed renovations to convert the rooming units to apartments are necessary to support residents’ health, safety, stability, and resilience. (Ex. 26.)
17. Converting the rooming units into apartments, each with their own kitchen and bathroom, will require that the units be larger than their current footprint, which is what necessitates an expansion of the Building to accommodate approximately the same number of residents. Without the proposed fourth story, then the number of units in the Building would decrease from 59 to 47. (Tr. 11-12, 18.)
18. The Application proposes to construct the Project with: (Exs. 20A, 20B1-B2.)
- Approximately 61 (within an approved range of 59–64) studio apartments with individual kitchen and bathrooms;
 - Approximately 26,075 square feet of gross floor area;
 - At least five long-term bicycle parking spaces;
 - A maximum building height of 50 feet; and
 - An elevator and stair penthouse with a maximum height of approximately 8.6 feet.

RELIEF REQUESTED

19. The Application requested VDR approval of the Project pursuant to Subtitle X § 601.2. VDR is the appropriate process because it allows for an increase in height that makes possible the addition of a fourth story, and it allows the Applicant to efficiently bundle multiple forms of relief necessary for the Project into the same application, thereby enabling the Commission to consider the Project in its entirety instead of piecemeal. (Ex. 20A.)

20. Pursuant to Subtitle X §§ 603.1 and 603.4, the Application for VDR included the following requests for flexibility and relief: (Exs. 20A, 20B1-B2.)

A. Development Standard Flexibility under VDR Pursuant to Subtitle X § 603.1

- i. Building Height (Subtitle E § 203.2). Subtitle E § 203.2 provides that in the RF-1 Zone District, the maximum permitted height of a building (not including penthouse or rooftop structure) is 35 feet, and the maximum number of stories is three stories. The Project proposes a building height of approximately 47 feet and four stories.
- ii. Rear Yard (Subtitle E § 207.1). Subtitle E § 207.1 requires a minimum rear yard of 20 feet. However, the Building's existing design and rear yard predates the current Zoning Regulations and does not comply with the current requirements. The Project proposes to leave the rear yard for the fourth floor addition unchanged from its original design.

B. Special Exception Relief under VDR Pursuant to Subtitle X § 603.4

- i. Minimum Vehicle Parking Requirements (Subtitle C § 703.2). Pursuant to Subtitle C § 701.5, the parking requirement for the proposed Project of 61 apartment units is 31 spaces. However, the Property does not currently offer any parking, and none will be provided with the Project. Because the Project does not propose to provide any parking, relief from this 31-parking space requirement is necessary.
- ii. For Conversion of an Existing Residential Building to an Apartment House (Subtitle U § 320.2). Special exception relief is necessary because the Applicant proposes to convert and expand an existing residential building (rooming house) existing on the lot prior to May 12, 1958 to an apartment house.

C. Variance Relief under VDR Pursuant to Subtitle X § 603.4

- i. From Transportation Demand Management ("TDM") Plan Requirement with Parking Relief (Subtitle C § 703.4). As described above, the Applicant is seeking relief to reduce the Project's required number of parking spaces by more than four, so a TDM plan is required under Subtitle C § 703.4. The Applicant requests variance relief from Subtitle C § 703.4 because there is already zero parking spaces offered at the Property, and although the number of residential units will marginally increase, the demand for parking will not notably change because the population being served will remain effectively the same.
- ii. From Minimum of 900 Square Feet of Land Area per Dwelling Unit Requirement (Subtitle U § 320.2(c)). Because the Project will not provide a minimum of 900 square feet of land area per dwelling unit, the Applicant seeks

an area variance from the minimum 900 square feet of land area per dwelling unit requirement of Subtitle U § 320.2(c). As proposed, the amount of land area per proposed apartment is approximately 112.5 square feet.

iii. From Minimum Area Requirement for VDR (Subtitle X § 601.3(a)). The Applicant requests an area variance from the VDR minimum area requirement of two acres per Subtitle X § 601.3 because the Property is not two acres.

21. The Applicant's submission included an evaluation of the Application under Subtitle X § 604 and the Comprehensive Plan, including when viewed through a racial equity lens, and would further policies of the Capitol Hill Area, Land Use, Transportation, Housing, Environmental Protection, and Urban Design Elements of the Comprehensive Plan. (Ex. 20A.)
22. The Application satisfied the filing requirements of Subtitle Z § 301 *et seq.* (Ex. 3-3F.)

APPLICANT'S JUSTIFICATION

23. The Application asserted that it met the requirements for development standard flexibility under VDR pursuant to Subtitle X § 604 for the following reasons: (Ex. 20A.)
 - A. Pursuant to Subtitle X § 603.3, the amount of flexibility is at the Commission's discretion, but for building and penthouse height it is limited to what is permitted under a PUD. An RF-1 PUD is permitted at a maximum building height of 50 feet, and the proposed height of the Project is approximately 47 feet.
 - B. Rear yard flexibility is necessary for the fourth floor addition to have the same floor plate as the rest of the Building, making for a better and more seamless building design.
24. The Application asserted that it satisfied the requirement of Subtitle X § 603.4 to meet the specific special exception standards and the general standards set forth in Subtitle X, Chapter 9 for the following reasons: (Exs. 20A, 26.)
 - A. From Minimum Parking Requirements (Subtitle C § 703.2 & Subtitle X § 901.2). The Project is in harmony with the general purpose and intent of the Zoning Regulations because the renovation of the Building will improve existing affordable housing units even if the Project does not offer parking to its residents. The Project will not affect adversely the use of neighboring property because despite a renovation and modest expansion of the Building, the total number of units and intensity of use will only marginally increase and not result in new parking demand. Further, pursuant to Subtitle C § 703.2, the Applicant demonstrated the following conditions: the site is physically constrained and does not have enough open space to accommodate any parking, let alone additional parking; the Property is well served by public transit; the residents served at the Property are unlikely to have a vehicle, so the renovation will generate demand for

less parking than the minimum parking standards; and the Building will be all-affordable and reserved for individuals earning at or below 50% AMI. (Subtitle X §§ 901.2(a)-(c))

- B. For Conversion of an Existing Residential Building to an Apartment House (Subtitle U § 320.2 & Subtitle X § 901.2). The requested relief will be in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring properties because the need for improvements to outdated affordable housing is high, and this Project aims to increase the quality of the Building's affordable housing by offering efficiency apartments rather than rooming units. The addition of kitchens to each unit will increase independence for SOME's residents. With this Application, the Applicant seeks to convert from one type of multifamily housing to another to better accommodate the modern affordable housing needs of the population that it serves. Further, the overall number of residents in the Building will be the same or only marginally increase, meaning that there will not be additional impacts due to number of residents. (Subtitle X §§ 901.2(a)-(c))

25. The Application asserted that it satisfied the requirement of Subtitle X § 603.4 to meet the burden of proof for area variance relief set forth in Subtitle X, Chapter 10 for the following reasons: (Ex. 20A.)

- A. Under the Zoning Regulations and relevant case law, an applicant for an area variance must demonstrate that (1) the property is affected by an exceptional or extraordinary situation or condition, (2) the strict application of the Zoning Regulations will result in a practical difficulty to the applicant, and (3) the granting of the variance will not cause substantial detriment to the public good nor substantially impair the intent, purpose or integrity of the zone plan. *See* D.C. Code § 6-641.07(g)(3). Additionally, because the Applicant is a nonprofit entity that meets an essential public need by providing income-restricted affordable housing for the unhoused, SOME is also eligible for public good flexibility. Under the public good flexibility doctrine, SOME may demonstrate that its needs are an "exceptional condition" by showing: (1) that the specific design it wants to build is institutionally necessary, and (2) how the needed design features require the specific variance sought. *See McDonald v. D.C. Bd. of Zoning Adjustment*, 291 A.3d 1109, 1124 (D.C. 2023).
- B. From TDM Plan Requirement with Parking Relief (Subtitle C § 703.4). The Property meets the "exceptional conditions" element of the variance test and qualifies for the public good flexibility doctrine. The Building is the only rooming house within a multiple block radius of the RF-1 zone. Absent a conversion to an apartment house, this legally nonconforming use significantly limits any changes to the Building, resulting in a unique condition that affects only the Property in a multi-block radius. The conversion from rooming house to apartment house is an institutional necessity because SOME wants to offer its residents more independence and autonomy by providing them with efficiency apartments rather

than rooming units, and the Property is still unable to accommodate any parking because, absent significant changes to the Building's design, there is no space available. Given the Building's footprint that occupies nearly all the Property, the Building must be converted from a rooming house to apartment building without providing any parking. The "practical difficulty" in complying with the parking and TDM plan requirements stems from the institutional necessity to (1) convert the Building from a rooming house to an apartment building to better serve the residents; (2) offer zero parking due to the constraints of the Building and Property; and (3) avoid costs associated with the TDM plan requirement to conserve financial resources. Finally, granting the requested relief will not cause substantial detriment to the public good and will not impair the intent, purpose, or integrity of the zone plan because the number of residents and intensity of use will only marginally increase, if at all. Even without the required TDM plan, the demand for on-street parking in the neighborhood will be largely unaffected. Thus, the intent of the zone plan to minimize adverse parking impacts by mandating a TDM plan will not be negatively affected by the proposed variance relief.

- C. From Minimum of 900 Square Feet of Land Area per Dwelling Unit Requirement (Subtitle U § 320.2(c)). Based on the Building's unique history as a rooming house since 1993 and its significant contribution of affordable housing near the desirable neighborhood of Capitol Hill, the Property meets the "exceptional conditions" element of the variance test. Strict application of the Zoning Regulations would result in a "practical difficulty" due to (1) the need to provide modern and fully self-sufficient all-affordable apartment units; (2) the harm to both SOME and the vulnerable population that it serves if the number of units were drastically reduced to meet the 900 square feet requirement; and (3) SOME's programmatic and mission necessity to maintain the same number of units and serve the same number of residents that existed in the Building as it is now. Granting the requested relief will not cause substantial detriment to the public good and will not impair the intent, purpose, or integrity of the zone plan because the proposed expansion, modernization, and renovation will not impair the intent, purpose, or integrity of the zone plan or negatively impact neighbors' access to air or light.
- D. From Minimum Area Requirement for VDR (Subtitle X § 601.3(a)). The Property meets the "exceptional conditions" element of the variance test because, given the Building's unique zoning history and requested relief, the VDR process is the most streamlined process to convert the rooming units into apartments units while maintaining the existing unit count. By consolidating all relief into one process, this Application is the most efficient approach and subjects the Project to heightened scrutiny from the community and Commission. Strict application of the Zoning Regulations would result in a "practical difficulty" for the same reasons as described in Paragraph 25(C) above. Lastly, the third element of the area variance test also is met for the same reasons as described in Paragraph 25(C) above.

APPLICANT'S SUBMISSIONS

26. In addition to the testimony at the public hearing, the Applicant made the following submissions to the record in support of the Application:
 - A. The initial April 16, 2025 application and related materials requesting VDR approval (Exs. 3-3G);
 - B. A January 23, 2026 submission, which included revised plans, witnesses and outlines of proposed testimony, and the resume of an expert witness (Exs. 18-19A2);
 - C. A request for waiver to accept additional materials, including an updated statement in support of the Application and updated plans (Exs. 20-20B2); and
 - D. Presentation materials for the February 23, 2026 virtual public hearing (Ex. 26).
27. On March 9, 2026, the Applicant filed draft findings of fact and conclusions of law. (Ex. __.) No other post-hearing submissions were submitted into the record of this case.

III. RESPONSES TO THE APPLICATION

OFFICE OF PLANNING (“OP”)

28. OP filed a February 12, 2026 report (Ex. 21) that recommended approval of the Application with the condition that there is no decrease in the number of units lower than 59 rooming units, which is the existing number of rooming units. The Applicant agreed to this condition.
29. OP testified at the February 23, 2026 public hearing in support of the Application. (Tr. at 54-56.)

DISTRICT DEPARTMENT OF TRANSPORTATION (“DDOT”)

30. DDOT filed a February 13, 2026 report (Ex. 23), concluding it had no objection to the Application provided the Applicant provide at least 20 long-term bicycle parking spaces within the Building.
31. At the February 23, 2026 public hearing, DDOT testified that it had no objection to the approval of the Application and stated that DDOT’s support of the Application would not diminish if the Applicant failed to provide the 20 long-term bicycle parking space mentioned in DDOT’s report, and, instead, provided the required five long-term bicycle parking spaces. (Tr. at 50-51.)
32. The Applicant testified that providing the DDOT-conditioned 20 long-term bicycle spaces would result in the loss of programmatic space and at least one apartment on the first floor of the Building. (Tr. at 18.)

ANC

33. ANC 7D submitted a February 20, 2026 report (Ex. 27) stating that at its regularly scheduled and duly noticed July 8, 2025 public meeting, with a quorum present, ANC 7D voted unanimously to support the Application as presented at the time.

OFFICE OF THE ATTORNEY GENERAL (“OAG”)

34. OAG submitted comments in support on February 13, 2026 (Ex. 22), recommending that the Commission approve the Applicant’s proposed VDR application. A representative of OAG also testified at the public hearing in support of the Application. (Tr. at 42-48).

IV. CONCLUSIONS OF LAW

AUTHORITY

1. Pursuant to the authority granted by the Zoning Act, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-651.01 (2018 Repl.)), the Commission may approve a VDR application consistent with the requirements of Subtitle X § 604.

DESIGN REVIEW AND ZONING RELIEF

2. Based on the case record and Findings of Fact above, the Commission concludes that the Application satisfies the design review standards set forth in Subtitle X § 604 and the general special exception standards set forth in Subtitle X, Chapter 9.
3. The Commission concludes that, pursuant to Subtitle X § 603.4, the Application satisfies the specific special exception standards under Subtitle C § 703.2 and Subtitle U § 320.2 and the general special exception standards set forth in Subtitle X § 901.2.
4. The Commission concludes that, pursuant to Subtitle X § 603.4, the Application satisfies the standards set forth in Subtitle X, Chapter 10 for area variances from Subtitle C § 703.4, Subtitle U § 320.2(c), and Subtitle X § 601.3(a).

“GREAT WEIGHT” TO THE RECOMMENDATIONS OF OP

5. The Commission must give “great weight” to the recommendation of OP pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.)) and Subtitle Z § 405.8. (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)).
6. The Commission gives OP’s recommendation to approve the Application great weight, concurs with and incorporates herein OP’s findings, and concludes that the Applicant’s responses appropriately addressed OP’s questions and concerns.

“GREAT WEIGHT” TO THE ANC REPORT

7. The Commission must give “great weight” to the issues and concerns raised in a written report of the affected ANC that was approved by the full ANC at a properly noticed meeting that was open to the public pursuant to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl)) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).) The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Bd. of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978).)
8. ANC 7D voted to support the Application and expressed no issues or concerns about the Project.

SUMMARY ORDER

9. Since ANC 7D, the only party other than the Applicant, did not oppose the Application, the Commission authorized a summary order pursuant to Subtitle Z § 604.7.

V. DECISION

Based on the case record, the testimony at the public hearing, and the above Findings of Fact and Conclusions of Law, the Commission concludes that the Applicant has satisfied its burden of proof for the requested flexibility and relief and therefore **APPROVES**, subject to the following conditions, standards, and flexibility, the Application’s request for VDR approval.

PROJECT DEVELOPMENT

1. The Project shall be built in accordance with the plans and elevations dated February 23, 2026 (Exs. 20B1-20B2) (the “Final Plans”), and with zoning flexibility to accommodate the location of long-term bicycle parking spaces, subject to the following areas of design flexibility:
 - A. Exterior Details – Location and Dimension: To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the building or design shown on the final plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights;
 - B. Exterior Materials – Color: To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges shown on the final plans;

- C. Interior Components: To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria, and mechanical rooms, provided that the variations do not change the exterior configuration of the building as shown on the final plans;
- D. Number of Units: To provide a range in the approved number of apartment units between 59-64;
- E. Streetscape / Site Design: To vary the location, attributes, and general design of the approved streetscape and site design elements to comply with the requirements of, and the approval by, the DDOT Public Space Division or the Public Space Committee;
- F. Sustainable Features: To vary the approved sustainable features of the Project, provided the Project maintains compliance with all applicable D.C. Green Building Act and Green Building Code requirements; and
- G. Landscape Materials: To vary the final selection of landscaping materials utilized based on availability at the time of construction.

GENERAL

- 4. This Application approval shall be valid for a period of two years from the effective date of this Order. Within such time, an application for a building permit must be filed as specified in Subtitle Z § 702.2. Construction must begin within three years after the effective date of this Order, per Subtitle Z § 702.3.
- 5. 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.

VOTE (February 23, 2026): 5-0-0 (Vice Chair Miller moving, Commissioner Stidham seconding, Commissioners Hood, Miller, Wright, Stidham, and Imamura, to **APPROVE**)

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 25-03 shall become final and effective upon publication in the *DC Register*; that is, on [REDACTED].

ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION

SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

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.