

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF PLANNING



Office of the Director

To: District of Columbia Zoning Commission  
From: Andrew Altman, Director  
Re: ZC 02-17C, 5401 Western Avenue PUD  
Enforcement of Affordable Housing Provisions  
Date: March 20, 2003

D.C. DEPARTMENT OF ZONING  
2003 MAR 21 PM 1:13

At its March 10, 2003 meeting the Zoning Commission requested more information about the enforceability provisions of the affordable housing proffered by the Applicant as part of its proposed PUD. The District Department of Housing and Community Development (DHCD) has re-affirmed its commitment to "conduct the appropriate monitoring for this project [5401 Western Avenue, NW] on behalf of the Office of Planning". (See enclosed memo dated March 3, 2003). As DHCD notes, that department usually relies on deed restrictions as its primary enforcement mechanisms. A compliance survey of the District's Home Purchase Assistance Program (HPAP) conducted by a DHCD consultant earlier this year found that the non-compliance rate was less than 2%, an indication of a very high compliance rate. Nevertheless, DHCD has stated its willingness to go beyond its usual enforcement procedures for the proposed PUD at 5401 Western Avenue. It is willing to undertake additional monitoring such as physical inspections and on-site monitoring, and will work with OP staff to develop other appropriate instruments.

OP advised the Applicant of the DHCD memo. Accordingly, the Applicant has revised the enforcement mechanisms it is proffering. We have reviewed these refinements and find them to be consistent with the approach and enforcement mechanisms to which OP and DHCD are committed.

AA/SLC

enclosure

**ZONING COMMISSION**  
**District of Columbia**

Case 02-17C

Exhibit 222

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



Office of the Director

**MEMORANDUM**

**TO:** Andrew Altman  
Director  
Office of Planning

**FROM:** Stanley Jackson  
Director

**DATE:** March 3, 2003

**SUBJECT:** DHCD Monitoring Assistance – Former Washington Clinic Site  
5401 Western Avenue, NW

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Per your request, the Department of Housing and Community Development (DHCD) will conduct the appropriate monitoring for this project on behalf of the Office of Planning. As this is a proposed homeownership project, the Department traditionally uses covenants and deed restrictions as its primary affordability enforcement.

DHCD will share current documents with you and work with your staff to develop appropriate instruments. If you anticipate the need for additional monitoring assistance (physical inspections, on-site monitoring) the Department is available and willing to work with your office to meet these needs.

If you have any questions or need additional information please feel free to contact me at (202) 442-7215.