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January 7, 2024

Anthony J. Hood, Chair
District of Columbia Zoning Commission
441 4th Street, NW, Suite 200S,
Washington, DC 20001
Email: dcoz@dc.gov

Re: **Zoning Commission Case 23-02**
Hearing Date: January 7, 2024
Public Unable to Sign Up To Testify

Dear Chair Hood:

I have received complaints today that the Office of Zoning website would not allow people to sign up to testify at tomorrow's hearing. People who tried to sign up on *Sunday morning* and *Sunday afternoon* to testify in Case 23-02 have not been able to do so.

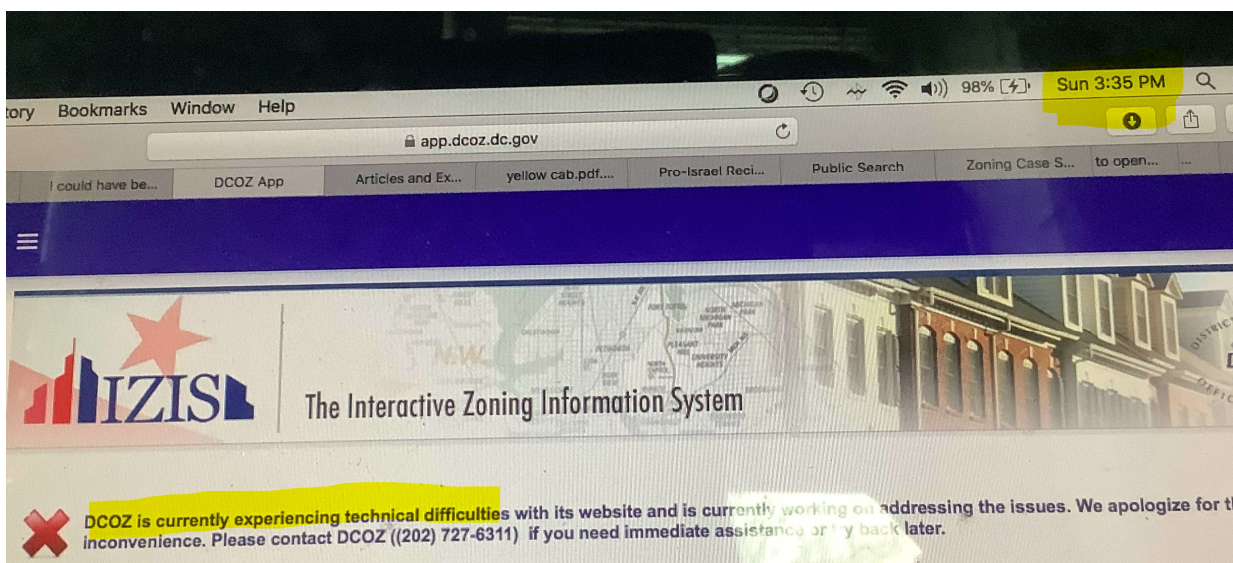
This is clearly wrong since the Office of Zoning website and the Public Notice in this case state the public is allowed to sign up to testify up to 24 hours before the start of the hearing, as Ms. Schellin, Secretary to the Commission, has also previously confirmed. Below is a screenshot one person sent me who had been trying since this morning to sign up to testify. This person also called the phone number shown in the second screenshot but no one answered. There almost assuredly were other members of the public who were denied their right to sign up today to testify in Case 23-02.

Though this appears to be a website malfunction, prematurely cutting off the right of the public to testify in this contested case is a serious problem. Does the Commission not monitor the website to make sure the site is properly functioning? Please see the 2 screenshots below. The first screenshot is the attempt to register at 3:35pm to testify. The second screenshot is the message not allowing the person to register to testify. This person tried repeatedly on Sunday to timely sign up to testify and was denied that right, as others almost certainly were as well.

The screenshot shows a web browser window with the URL app.dcoz.dc.gov. The page title is "Sign Up to Testify". The form contains the following fields and values:

- Select a Type: Zoning Commission
- Select an Event: 01/08/2024 - ZC Public Hearing
- Select a Case: 23-02
- Add Witness section with the instruction: "Please submit the First Name, Last Name and Phone No. (if joining by phone) that you will be using on the day of the hearing."
- First Name: * Janet
- Last Name: * McMahan
- Phone No.: * (202) 667- [REDACTED]
- Organization: [REDACTED]
- E-mail: * jmcMahon@wrmea.org
- Testimony Type: * Opponent
- Affiliation: * Public Witness

At the bottom right, there is a red stamp that reads: "ZONING COMMISSION District of Columbia CASE NO.23-02 EXHIBIT NO. 501". Below the stamp is a red text box containing the sworn statement: "Do you solemnly swear or affirm that the testimony you will give will be the truth, the whole truth, and nothing but the truth?"



Sincerely,

Edward Hanlon

cc: Attorney General Brian Schwalb Brian.Schwalb@dc.gov
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