



Advisory Neighborhood Commission 2A

“Serving the Foggy Bottom and West End communities of Washington, D.C.”

June 24, 2016

Ms. Melinda Bolling
Director
Department of Consumer and Regulatory Affairs
1100 4th Street SW
Washington, DC 20024
melinda.bolling@dc.gov

RE: Public Access to DCRA’s Online Building Permit Application Tracking Database (OBPAT)

Dear Ms. Bolling,

At its regular meeting on June 15, 2016, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of seven commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously to adopt the following resolution, which was introduced by Commissioner Zhurbinskiy and seconded by Commissioner Schrefer, by a vote of (7-0-0):

WHEREAS, on February 25, 2016, the Department of Consumer and Regulatory Affairs removed public access to its Online Building Permit Application Tracking database (widely known by its initials, OBPAT),

WHEREAS, OBPAT was an essential tool for ANCs, journalists, and other citizens to obtain information about pending or approved construction permit applications,

WHEREAS, among other benefits, OBPAT:

- Revealed the existence of pending, unapproved applications (unlike DCRA’s PIVS database, which lists only issued permits),
- Provided far more detail than PIVS about the allowable scope of work for approved permits,
- Disclosed the names of the individuals submitting applications as well as the names of property owners,
- Included extensive reviewer notes on various disciplines (such as mechanical, electrical, and zoning code compliance), along with the names of the responsible DCRA reviewers, and
- Showed the date on which each application was submitted, unlike PIVS.

WHEREAS, removing public access to OBPAT deprived citizens of information that is often crucial in assessing the legality of permits and/or work being performed under the supposed authority of a permit,



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WHEREAS, numerous provisions of the Zoning Regulations in Title 11 of DCMR determine the rights of an applicant or permit holder based on the date an application was filed, not merely when it was approved, and OBPAT was the only readily available resource for obtaining this information,

WHEREAS, DC Official Code § 2-536(a)(8A) and (b) requires the agency to make the complete permit file for each application available online, for free, without the need for any citizen request,

WHEREAS, the Director of the District’s Office of Open Government pointedly declared in a recent opinion letter that DCRA is “woefully out of compliance” with this statutory obligation, and

WHEREAS, in disabling public access to OBPAT, DCRA only worsened its already substantial lack of public transparency and accountability.

THEREFORE, BE IT RESOLVED that ANC 2A calls on the Department of Consumer and Regulatory Affairs to immediately restore public access to the Online Building Permit Application Tracking database.

Commissioners Eve Zhurbinskiy (2A08@anc.dc.gov) and Patrick Kennedy (2A01@anc.dc.gov) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy
Chairperson

CC: Donise Peace, ANC Liaison, Department of Consumer and Regulatory Affairs
Councilmember Vincent Orange, At-Large