

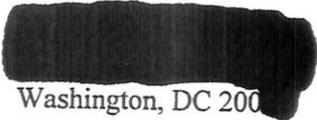
GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR



Office of the General Counsel to the Mayor

January 7, 2008⁹

BY U.S. MAIL


Washington, DC 200

Re: Freedom of Information Act Appeal

Dear :

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code, 2001 Ed. § 2-531 *et seq.* (the "DC FOIA"), dated November 21, 2008 (the "Appeal"). We forwarded the Appeal to the Department of Consumer and Regulatory Affairs ("DCRA") with a request for a response. The DCRA responded by letter dated December 24, 2008 ("DCRA Response").

In your initial FOIA Request dated June 17, 2008, you sought copies of:

1. Copy of a March 15, 2006 "Housing Violation Notice" for a property located at 2714 Quarry Road, NW, Washington, DC 2009 directed to Quarry II LLC/Camel Partners;
2. Copy of the re-inspection indicating abatement of the above noted notice;
3. Record regarding whether there was an imposition of a re-inspection fine for not abating the violations indicated in the above noted notice; and
4. Records of the fines imposed for the violations identified in the above noted notice.

DCRA confirmed receipt of your FOIA Request through an e-mail dated June 17, 2008.

On Appeal, Appellant challenges DCRA lack of response to his FOIA request and thus treats DCRA's failure to respond as a denial.

Discussion

It is the public policy of the District government that "all persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees." D.C. Official Code, 2001 Ed. § 2-531. In aid of that policy, the DC FOIA creates the right "to inspect ... and ... copy any public record of a public body" *Id.* § 2-532(a). Yet that right is subject to various exemptions, which may form the basis for a denial of a request. D.C. Official Code, 2001 Ed. § 2-534.

The DCRA Response provided Appellant with all of the requested records. However, it should be noted DCRA failed to reply to Appellant's FOIA Request within the statutory timeframe, yet this Office is without recourse to address this untimely response because the statute does not impose any sanctions for an agency's failure to respond within the prescribed timeframe.

Because DCRA has provided Appellant with all documents in its possession responsive to Appellant's FOIA Request, this appeal is DISMISSED.

If you are dissatisfied with this decision, you are free under the DC FOIA to commence a civil action against the District of Columbia government in the District of Columbia Superior Court.

Regards,



Runako Allsopp
Deputy General Counsel to the Mayor

cc: Cecelia Tilghman
FOIA Officer