

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR**



Mayor's Office of Legal Counsel

August 28, 2017

VIA ELECTRONIC MAIL

Ms. Barbara Donaldson

RE: FOIA Appeal 2017-136

Dear Ms. Donaldson:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 ("DC FOIA"). In your appeal, you assert that the Department of Consumer and Regulatory Affairs ("DCRA") failed to respond to a request you submitted under DC FOIA.

On July 9, 2017, you submitted a request to DCRA seeking "the approved plans for this permit number B1701721 at 1610 Riggs Place NW. The plans were approved in 2017." DCRA did not respond to your request.

This Office contacted DCRA on August 14, 2017, and asked for its response to your appeal. On August 25, 2017, DCRA informed us that it responded to your request by sending you a copy of a permit. You responded to DCRA and this Office, stating that you believed "plans" exist. This Office requested that DCRA describe the search it conducted. DCRA responded¹ by stating that it had located the responsive records; DCRA represented that it shared these plans with you. Since your appeal was based on DCRA's failure to respond to your request, we consider your appeal to be moot. Your appeal is hereby dismissed; however, the dismissal shall be without prejudice. You are free to assert any challenge, by separate appeal to this Office, to the substantive response DCRA sent you.

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

Respectfully,

Mayor's Office of Legal Counsel

cc: Runako Allsopp, Assistant General Counsel, DCRA (via email)

¹ DCRA's response is attached.