

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



Mayor's Office of Legal Counsel

December 18, 2017

VIA ELECTRONIC MAIL

Guillermo Rueda

RE: FOIA Appeal 2018-050

Dear Mr. Rueda:

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"), on the grounds that the Department of Consumer and Regulatory Affairs ("DCRA") failed to respond to your November 9, 2017 request for records related to construction activity at an identified address.

This Office contacted DCRA on December 4, 2017, and notified the agency of your appeal. On December 15, 2017, DCRA provided its response to your appeal. In its response, DCRA asserted that it disclosed all of the responsive records it had found via email and a CD that it mailed to you. DCRA further stated that additional responsive records may be disclosed following the conclusion of an email search being performed by Office of the Chief Technology Officer.

Since your appeal was based on DCRA's failure to respond to your request, and DCRA has now responded by providing documents and representing that it will continue to disclose additional documents as they become available, 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 that 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: Erin Roberts, FOIA Officer, DCRA (via email)