



Capitol Park IV Condominium Association, Inc.

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December 24, 2014

VIA U.S. MAIL AND EMAIL

District of Columbia Water and Sewer Authority
Customer Service Department
810 First Street, NE, 11th Floor
Washington, D.C. 20002

RE: Administrative Hearing Request
Accounts: 0104758-8, 0104757-0, 0104756-2, 0104768-7,
0105035-0, 0104647-3, 0105036-8

Dear Sir or Madam:

The Board of Directors of Capitol Park IV Condominium Association, Inc. (“Board” and “CPIV”) is in receipt of your letter dated December 12, 2014, which was received at date-stamped by our managing agent office on December 17, 2014. We hereby request an administrative hearing on this matter.

The Board strongly opposes your office’s assessment of our case and the classification of our property as commercial for the foregoing reasons outline in our initial letter dated October 20, 2014. We contest and disagree with DC Water’s stated practices and policies, which clearly have overlooked and do not consider the unique status of our horizontal condominium property as a residential community:

1. DC Water has stated that its “[s]tandard practice currently dictates that all multi-unit condominiums with more than 5 units be classified as a commercial property.” However, this standard is primarily intended for and applied to vertical condominium properties – those that physically appear as apartment-style buildings. CPIV is not a vertical condominium property. We are a unique, horizontal residential community of 243 townhouse properties. Residents do not have to enter a master door to access their individual homes, as do those in vertical properties. Further, instead of having one roof as vertical-style condominium buildings (and even clusters of these buildings), CPIV has 243 roofs to which a commercial standard is being unfairly and egregiously applied by DC Water.
2. Further, we contest DC Water’s policy that “all master metered properties are to be classified as commercial.” No reasoning was provided to show the original purpose or intent of this policy.
3. We reject DC Water’s application of the Office of Taxation and Revenue Property Guideline Code 048 Commercial-Retail-Condo, which is defined “(Class 2): Unit in a predominately residential condo complex used for retail sales/service business). The Office of Taxation and Revenue correctly has classified all of CPIV (Square 0540) under Use Code 016, Residential-

Condo-Horizontal, which is defined “(Class 1 or 2): Enclosed space of 1 or more rooms, occupying all of part of 1 or more floors; entrance no higher than 3 floors; single-family use; may/may not have parking, laundry, patio, etc.”.

The Board further reiterates our demands that:

- (1) DC Water apply the proper residential water and sewer rates to CPIV as it is a residential property, and that our eleven (11) accounts be retroactively credited back to the inception of this practice with our accounts with DC Water;
- (2) DC Water cap the total ERUs for our residential property to 13.5 per the CRIAC ERU rate scale;
- (3) DC Water reduce our overall ERU based on our implementation of several best management practices (BMPs) and low-impact designs (LIDs) as of January 2014; and
- (4) DC Water immediately stop the application of all commercial water and sewer rates to CPIV and remediate the extreme, undue and unfair hardship it has created through the CRIAC Pilot Program for our property, specifically with regard to the proposed annual increases to the six-tier CRIAC rate scale through FY 2021.

The Association simply cannot bear these unfair charges. DC Water’s misapplication of commercial rates to our residential property has caused us extreme and undue harm and will bring certain financial ruin to CPIV. Again, we request an administrative hearing on this matter at the soonest available date.

Please be sure to inform our managing agent, Edward Bucaj of CFM Management Company, at (703) 941-0818 as soon as the hearing date has been scheduled.

Sincerely,

Felicia Coutts, 2014 out-going President and
Robert Hall, 2015 incoming President

Capitol Park IV Board of Directors

Enclosures: Previous October 20, 2014 Letter of Opposition and Attachments

cc Via email:

Edward Bucaj, CFM Management Company
Nagle & Zaller, P.C.
ANC-6D Commissioners
Mary M. Cheh, Chairman, DC City Council Committee on Transportation
and the Environment
Charles Allen, DC City Councilmember-elect, Ward 6