### SUPERIOR COURT OF THE DISTRICT OF COLUMBIA CIVIL DIVISION

DISTRICT OF COLUMBIA,	) )
Plaintiff,	) 2020 CA 001080 B
$\mathbf{V}_{ullet}$	FILED AND DOCKETED
76 M INC., et al.	) FEB 2 7 2020
Defendants.	THE OFFICE OF JUDGE-IN-CHAMBERS

### CONSENT TEMPORARY RESTRAINING ORDER

This matter came before the Court on February 27, 2020 for a hearing on the District of Columbia's (the "District") Motion for Temporary Restraining Order to require Defendants 76 M Inc. and Peter Odagbodo (collectively, "Defendants") to eliminate lead-based paint hazards at 6145, 6147, and 6149 Kansas Avenue NE, Washington, D.C. 20011 (the "Property"). The Superior Court, upon the agreement and consent of the District and the Defendants (collectively, the "Parties"), hereby adopts this Consent Temporary Restraining Order ("Consent Order"), which outlines initial terms and conditions for elimination and/or abatement of lead-based paint hazards at the Property. The Parties understand that this TRO may need to be modified based on new information that becomes available.

1. On or before March 13, 2020, Defendants shall come into compliance with all outstanding Administrative Orders, Enforcement Notices, and Notices of Infraction issued by the Department of Energy and Environment ("DOEE") for 6145, 6147, and 6149 Kansas

Avenue NE, Washington, DC 20011. It I defendant Peter

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by March 5, 2020 and pursuer it with
rear on a ble deligence, the mary more that cont
dead line or plaint of may agree to such

extension

- 2. In eliminating all lead-based paint hazards at the Property, Defendants shall follow the requirements of 20 DCMR § 3318.6 to use interim controls to repair any deteriorating paint identified as a lead-based paint hazard and repaint the surface, making sure that the paint is in intact condition. Defendants shall also eliminate any dust and/or soil hazards from the Property. All work must be performed by someone trained in lead-safe work practices pursuant to 20 DCMR § 3302.
- 3. On or before March 20, 2020, Defendants shall obtain clearance reports that meet the requirements of 20 DCMR § 3318.7 from a District of Columbia certified lead risk assessor, who must verify that all lead-based paint hazards identified were eliminated, along with any identified underlying conditions contributing to paint failure, and who must also specifically confirm that no lead-contaminated dust remains in any work area. If the risk assessor is working on behalf of a firm or business entity, the firm or business entity must also be certified in accordance with 20 DCMR § 3311. Defendants shall submit the clearance report to DOEE at <a href="mailto:lead.clearance@dc.gov">lead.clearance@dc.gov</a> within seven (7) business days of its issuance.
- 4. Defendants shall consult with DOEE in writing on whether the elimination of lead-based paint hazards will require temporary relocation of all or some occupants during remediation. In the event relocation is required, the owner shall pay all reasonable temporary relocation expenses that may be required until the dwelling unit has passed a clearance examination and a reasonable amount of time has passed to allow the tenant to return to the dwelling unit. Defendants shall seek the District's approval in identifying a

(EVK)

comparable unit for relocation. The acummodation must be reasonable, habitable and may be expreed upon by the tenant.

- 5. Defendants shall bear the costs associated with all activities intended to eliminate leadbased paint hazards pursuant to this Consent Order.
- 6. This Order shall be in effect until a hearing on the District's Motion to Appoint a Receiver.

### Consented to for the District of Columbia

KARL A. RACINE

Attorney General for the District of Columbia

KATHLEEN KONOPKA

Deputy Attorney General, Public Advocacy Division

/s/ Jennifer Berger

JENNIFER BERGER (Bar #490809)

Chief, Social Justice Section

/s/ Stephon D. Woods

STEPHON D. WOODS (Bar #1025232)

MATTHEW MEYER (Bar #1045084)

Assistant Attorneys General

441 4th Street, N.W., Suite 630 South

Washington, D.C. 20001

(202) 724-5319

Dated: 2/27/2020

A TRUE COPY

TEST:

Clerk, Superior Court of the District of Columbia

Deputy Clerk

Consented to by 76 M Inc.

76 M INC.

Consented to by Peter Odagbodo

PETER ODAGBODO

SO ORDERED.

Dated: 2/27/2020

Associate Judge

Superior Court of the District of Columbia

Outi E. von Kam

### **GOVERNMENT OF THE DISTRICT OF COLUMBIA**

### Department of Energy and Environment

Lead-Safe and Healthy Housing Division



08-23-2019

### ADMINISTRATIVE ORDER AO No. DOEE-19-L-50001862

Name & Mailing Address  76 M Incorporated 3104 Bruce Place SE #102 Washington, DC 20020	Name & Mailing Address
Telephone:	Telephone:
Business License/Permit Type:	Business License/Permit No:

The Department of Energy and Environment is issuing this Order pursuant to D.C. Code § 8-231.03(c) and 20 DCMR § 3320. The interior and exterior of dwelling units and child-occupied facilities are presumed to contain lead-based paint if constructed prior to 1978, and any paint that is deteriorated, chipping, peeling, or otherwise not intact is considered to be a lead-based paint hazard and is prohibited (20 DCMR § 3301.1).

Department Facts/Findings: Conducted complaint investigation at the Property on August 15, 2019. Lead-based paint hazards identified via x-ray fluorescence confirmation and laboratory analysis. Ordering interim controls.

ROOM	COMPONENT
Outside Front	• Door (a)
<ul> <li>Outside Front</li> </ul>	Door Case (a)
<ul> <li>Outside Front</li> </ul>	Columns (a)
Outside Front	Rails (a)
Outside Front	<ul> <li>Fascia - Upper and Lower (presumed - a)</li> </ul>
Bedroom Floor	Dust-Hazard

76 M Incorporated is hereby ORDERED to complete the following actions at 6147 Kansas Avenue NE #1:

Authority	Required Action(s)	Complete by Date
20 DCMR § 3318.6	Following the requirements of 20 DCMR § 3318.6, USE INTERIM CONTROLS to repair any deteriorating paint identified as a lead-based paint hazard in this Order, and re-paint the surface, making sure	9/22/2019

PLAINTIFF'S EXHIBIT

20

### Administrative Order AO No. DOEE-19-L-50001862

Authority	Required Action(s)	Complete by Date
	that the paint is now in intact condition. You must also repair any underlying condition contributing to paint failure and must eliminate any dust and/or soil hazards. All work MUST BE PERFORMED BY SOMEONE TRAINED IN LEAD-SAFE WORK PRACTICES pursuant to 20 DCMR § 3302.	
20 DCMR §§ 3315.4, 3315.5, and 3315.8.	OBTAIN A CLEARANCE REPORT that meets the requirements of 20 DCMR § 3318.7 from a DC-certified lead risk assessor, who must verify that all lead-based paint hazards identified were eliminated, along with any identified underlying conditions contributing to paint failure, and who must also specifically confirm that no lead-contaminated dust remains in any work area. If the risk assessor is working on behalf of a firm or business entity, the firm or business entity must also be certified in accordance with 20 DCMR § 3311. Submit the clearance report to DOEE at lead-clearance@dc.gov within 7 business days of its issuance.	9/22/2019
20 DCMR §§ 3315.4(a) and 3315.8.	Have an additional clearance examination conducted thirty-six (36) months, after completion of the interim control activities, and submit the clearance report to DOEE within 7 days of issuance.	See the required action(s) for the complete by timeframes.

If checked, see attachment.	
<u>Important</u> : Failure of any order recipient to compaction, including but not limited to permit or cert day.	ply with this Order may result in an enforcement iffication revocation and a fine of up to \$25,000 per
Issued by KRONER, MAKWELL, Lead-Safe and	Healthy Housing Division.
Signature: h/h	Date/Time: 8/23/2019

Page 2 of 3

### Administrative Order AO No. DOEE-19-L-50001862

To discuss this Order or to request an extension, contact the Lead-Safe and Healthy Housing Division at (202)578-5878.



Si necesita ayuda en Español, por favor llame al (202) 442-9094 para proporcionarle un intérprete <u>de manera gratuita</u> Nếu quý vị cần giúp đỡ về tiếng Việt, xin gọi (202) 442-9094 để chúng tôi thu xếp có thông dịch viên đến giúp quý vị <u>miễn</u> nhi.

Si vous avez besoin d'aide en Français appelez-le (202) 442-9094 et l'assistance d'un interprète vous sera fournie gratuitement.

П 차 역대로 차 C 축 ୬ ከ 4 ላ 가 n (202) 442-9094 2 8 마사 = 『 1 및 h ስ + C 후 역 2 마오 ብ 4 후 ታ A 프 한국어로 언어 지원이 필요하신 경우 (202) 442-9094 로 연락용 주시면 <u>우료로</u> 통역이 제공됩니다. 如果準需要用 (中文)接受解助,額電治(202) 442-9094,將免費向您提供口pp員服務。

You may request a 30-day extension of the deadline(s) in this Order, but it will be granted only if submitted prior to the deadline(s) and if you demonstrate that you are proceeding in good faith. A request for an extension must be submitted in writing to DOEE's Lead-Safe and Healthy Housing Division at 1200 First Street, NE, 5th Floor, Washington, D.C. 20002 or by e-mail to lead.extension@dc.gov. Please address the extension request to the person who issued this Order.

You have the right to appeal this Order by requesting a hearing at the District of Columbia Office of Administrative Hearings. You may file your case using an online form at oah.dc.gov or by mailing or delivering a written request for a hearing to the Office of Administrative Hearings • Attn: Court Clerk • 441 Fourth Street NE, Suite 450N • Washington, DC 20001 • Tel. (202) 442-9094. You have a right to a lawyer at your own expense.

You must request a hearing within 15 days of the date of this Order (20 days if you received the Order by mail) or the Order will become final.

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**DOEE76M 0003** 



Lead-Safe and Healthy Housing Division

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

## Department of Energy and Environment

### ENFORCEMENT NOTICE





Date of ServiceDecember 5, 2019

You are violating or have violated the District of Columbia laws or regulations stated below. Answer and sign this Notice within twenty calendar days of the Date of Service. Before you answer this Notice, please review the "Instructions for Answering this Notice" on the second page.

LOCATION OF VIOLATION	NAME & MAILING ADDRESS	NAME & MAILING ADDRESS	
Address 6147 Kansas Avenue NE #1 Washington, DC 20011 Ward: 4	76 M Incorporated 3104 Bruce Place SE #102 Washington, DC 20020	PLAINTIFF'S EXHIBIT 21	BIT
Location Type: Occupied apartment	Charge as Respondent: 🛛	Charge as Respondent:	
Business License/Permit Type:	Business License/Permit No.:	se/Permit No.:	
EE7			
6M			

4				The state of the last
S DATE	LEGAL REQUIREMENT	DESCRIPTION OF VIOLATION	FINE	Write ANSWER Here
6107-06-30	20 DCMR § 3318.6(a)	Failure to comply with a DOEE order to apply interim controls, in conformance with D.C. Official Code § 8-231.15(a).	\$1,000	
09-30-5019	D.C. Official Code § 8- 231.03(d)(1)(E)	Failure to pay the invoice for reimbursement of risk assessment costs	\$100	
*"D.C. Code" me	*"D.C. Code" means the District of Columbia Official Code *"DCMR" means the D.C. Municipal Regulations	ficial Code TOTAL AMOUNT: \$1,100		
INSPECTOR'S	INSPECTOR'S CERTIFICATION: I declare under penalty	der penalty oppertury that I observed and/or determined that the above violation(s) have been committed.	that the above viola	tion(s) nave been committed.
		1 1	-	11-0

INSPECTOR'S CERTIFICATION: 1 declare under penalty	phyperja	ny that I observed and/or determined that the above violation(s) have been committed.	above violation(s) h	ave been committed.
Inspector's Printed Name		Inspector's Signature	Badge No.	Date
KROMER, MAXWELL	MM		102	12/3/19
Comments:				

DEADLINE AND WARNING: If you fail to answer this Notice within twenty calendar days of the Date of Service, the Department of Energy and Environment (DOEE) may refer this matter to an administrative court, the District of Columbia Office of Administrative Hearings. DOEE is offering you an opportunity to resolve the violation(s) before referral. For more information, visit doee.dc.gov/oeej or contact DOEE at 202-741-2139 or DOEE.Enforcement@dc.gov.

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RESPONDENT'S DECLARATION: I declare under Check one of the following boxes if answering ADMI this Notice.	RESPONDENT'S DECLARATION: I declare under penalty of perjury that I have filled out this form to the best of my knowledge. Check one of the following boxes if answering ADMIT or AWE: I have □ CORRECTED or □ NOT CORRECTED (check only one) all violation(s) listed in his Notice.	st of my knowledge. ED (check only one) all violatio	ion(s) listed in
Respondent's Name (print):	Respondent's Signature:	Date:	
Street Address:	City:	State: Zip:	
Phone:	E-Mail:		

## INSTRUCTIONS FOR ANSWERING THIS NOTICE

Answer each violation with a plea of ADMIT, ADMIT WITH EXPLANATION (AWE), or DENY.

- ANSWER Here column and complete the RESPONDENT'S DECLARATION. Return this Notice to the address below, with a check or money order for the To Admit and Pay the Fine. If you wish to admit liability for a violation, you must pay the fine at the same time. Write the word "ADMIT" in the Write amount of the fine, payable to the "D.C. Treasurer." We cannot accept cash payments. Write the Notice number on your check or money order. DOEE76M 0005
- reduction. DOEE will determine whether you have submitted sufficient relevant evidence to support a fine reduction or suspension. Return this Notice, along deciding whether the fine should be reduced or suspended, write the letters "AWE" in the Write ANSWER Here column and complete the RESPONDENT'S with your written explanation and any supporting documents, photographs, or other materials, to the address below. Write the Notice number on the front of DECLARATION. Submit any written explanation or other evidence explaining the circumstances surrounding the violation that you believe justify a fine To Admit with Explanation. If you wish to admit liability for a violation, but want to submit an explanation that you would like DOEE to consider in any document you submit.
- RESPONDENT'S DECLARATION. At your option, submit a written explanation of the basis for your denial and any evidence supporting the explanation. Return this Notice, along with any optional written explanation, to the address below. Write the Notice number on the front of any document you submit. To Deny the Violation(s). If you wish to deny liability for a violation, write the word "DENY" in the Write ANSWER Here column and complete the ь.

DOEE will attempt to resolve with you any violation that you mark as "AWE" or "DENY," when an explanation is provided. If the violation Office of Administrative Hearings. IMPORTANT: Keep a copy of everything that you send to the Department of Energy and Environment. cannot be satisfactorily resolved, you will receive a Notice of Infraction directing you to file your response with the District of Columbia

SEND THIS COMPLETED AND SIGNED NOTICE AND YOUR CHECK OR MONEY ORDER, PAYABLE TO "D.C. TREASURER," TO:

Office of Enforcement and Environmental Justice Department of Energy and Environment 1200 First Street, NE, 5th Floor Washington, DC 20002 Completed and signed Notices, but not payments, may also be sent via fax to 202-535-2881 or e-mail (in PDF format) to DOEE. Enforcement@dc.gov.

DOFF Form Rev 8-09-16

### GOVERNMENT OF THE DISTRICT OF COLUMBIA

### Department of Energy and Environment

Lead-Safe and Healthy Housing Division



04-26-2019

### ADMINISTRATIVE ORDER AO No. DOEE-19-L-50001775

Issued To:	
Name & Mailing Address	Name & Mailing Address
76 M INC	
3104 Bruce Place SE, Apartment 102	
Washington, DC 20020-2951	
Telephone:	
•	Telephone:
Business License/Permit Type:	Business License/Permit No:

The Department of Energy and Environment is issuing this Order pursuant to D.C. Code § 8-231.03(c) and 20 DCMR § 3320. The interior and exterior of dwelling units and child-occupied facilities are presumed to contain lead-based paint if constructed prior to 1978, and any paint that is deteriorated, chipping, peeling, or otherwise not intact is considered to be a lead-based paint hazard and is prohibited (20 DCMR § 3301.1).

**Department Facts/Findings**: Lead-based paint hazards were identified at the property during a complaint investigation on April 18, 2019.

ROOM	COMPONENT
<ul><li>OUTSIDE</li><li>OUTSIDE</li><li>OUTSIDE</li></ul>	<ul> <li>DOOR (B)</li> <li>DOOR LINTEL (B)</li> <li>DOOR JAMB (B)</li> </ul>

76 M INC is hereby ORDERED to complete the following actions at 6149 Kansas Avenue NE:

Authority	Required Action(s)	Complete by Date
20 DCMR § 3318.6	Following the requirements of 20 DCMR § 3318.6, USE INTERIM CONTROLS to repair any deteriorating paint identified as a lead-based paint hazard in this Order, and re-paint the surface, making sure that the paint is now in intact	5/26/2019
	condition. You must also repair any underlying condition contributing to	PLAINTIF EXHIBIT
	paint failure and must eliminate any dust and/or soil hazards. All work MUST BE PERFORMED BY	22

### Administrative Order AO No. DOEE-19-L-50001775

Authority	Required Action(s)	Complete by Date
	SOMEONE TRAINED IN LEAD- SAFE WORK PRACTICES pursuant to 20 DCMR § 3302.	
20 DCMR §§ 3315.4, 3315.5, and 3315.8.	OBTAIN A CLEARANCE REPORT that meets the requirements of 20 DCMR § 3318.7 from a DC-certified lead risk assessor, who must verify that all lead-based paint hazards identified were eliminated, along with any identified underlying conditions contributing to paint failure, and who must also specifically confirm that no lead-contaminated dust remains in any work area. If the risk assessor is working on behalf of a firm or business entity, the firm or business entity must also be certified in accordance with 20 DCMR § 3311. Submit the clearance report to DOEE at lead.clearance@dc.gov within 7 business days of its issuance.	
20 DCMR §§ 3315.4(a) and 3315.8.	Have an additional clearance examination conducted thirty-six (36) months, after completion of the interim control activities, and submit the clearance report to DOEE within 7 days of issuance.	See the required action(s) for the complete by timeframes.

If check	ed see	attachme	ent.
LILCINCON	cu scc	auacmun	-116

<u>Important</u>: Failure of any order recipient to comply with this Order may result in an enforcement action, including but not limited to permit or certification revocation and a fine of up to \$25,000 per day.

Issued by KOLA, MOUHAMAN,	Lead-Safe and Healthy Housing Division.	Wareness Wareness
Signature:	Date/Time: 4/26/2019	

To discuss this Order or to request an extension, contact the Lead-Safe and Healthy Housing Division at (202) 578-5858.



Assistance

Si necesita ayuda en Español, por favor liame al (202) 442-9094 para proporcionarie un intérprete <u>de manera gratuita</u>. Nếu quý vị cần giúp đỡ về tiếng Việt, xin gọi (202) 442-9094 để chúng tôi thu xếp có thông dịch viên đến giúp quý vị <u>miễn phí</u>.

Si vous avez besoin d'aide en Français appeiez-le (202) 442-9094 et l'assistance d'un interprète vous sera <u>fournle</u> <u>gratuitement</u>.

미 차 찍는 ₹ 차 는 4 분 차 실 시 가 이 (202) 442-9094 ይደ 마슈의 우 한 및 차 차 + 는 4 찍 ይ때로 ብል 위문ል의 한국어로 언어 지원이 필요하신 경우 (202) 442-9094 로 연락을 주시면 무료로 통역이 제공됩니다.

### Administrative Order AO No. DOEE-19-L-50001775

如果您需要用 (中文)接受幫助,請電洽(202) 442-9094,將免費向您提供口譯員服務。

You may request a 30-day extension of the deadline(s) in this Order, but it will be granted only if submitted prior to the deadline(s) and if you demonstrate that you are proceeding in good faith. A request for an extension must be submitted in writing to DOEE's Lead-Safe and Healthy Housing Division at 1200 First Street, NE, 5<sup>th</sup> Floor, Washington, D.C. 20002 or by e-mail to lead.extension@dc.gov. Please address the extension request to the person who issued this Order.

You have the right to appeal this Order by requesting a hearing at the District of Columbia Office of Administrative Hearings. You may file your case using an online form at oah.dc.gov or by mailing or delivering a written request for a hearing to the Office of Administrative Hearings \* Attn: Court Clerk \* 441 Fourth Street NE, Suite 450N \* Washington, DC 20001 \* Tel. (202) 442-9094. You have a right to a lawyer at your own expense.

You must request a hearing within 15 days of the date of this Order (20 days if you received the Order by mail) or the Order will become final.

### \* \* \* DEPARTMENT OF ENERGY & ENVIRONMENT

## GOVERNMENT OF THE DISTRICT OF COLUMBIA

## Department of Energy and Environment

### ENFORCEMENT NOTICE



DOEE-19-L500765

Lead-Safe and Healthy Housing Division

Date of Service: August 8, 2019

You are violating or have violated the District of Columbia laws or regulations stated below. Answer and sign this Notice within twenty calendar days of the Date of Service. Before you answer this Notice, please review the "Instructions for Answering this Notice" on the second page.

LOCATION OF VIOLATION	NAME & MAILING ADDRESS	NAME & MAILING ADDRESS	
Address 6149 Kansas Avenue NE Washington, DC 20011 Ward: 4	76 M Incorporated 3104 Bruce Place SE Apartment 102 Washington, DC 20020-2951	PLAINTIFF'S EXHIBIT 23	TIFF'S MBIT
Location Type: Occupied apartment	Charge as Respondent: ⊠	Charge as Respondent:	
Business License/Permit Type:	Business License/Permit No.:	se/Permit No.:	

DATE	LEGAL REQUIREMENT	DESCRIPTION OF VIOLATION	FINE	Write ANSWER Here
07-12-2019	20 DCMR § 3313.9	Failure to maintain and make available copies of all	\$500	
		lead-related reports for a property		
'D.C. Code" mea	*"D.C. Code" means the District of Columbia Official Code	ficial Code TOTAL AMOUNT: \$500		
'DCMR" means	*"DCMR" means the D.C. Municipal Regulations			

INSPECTOR'S CERTIFICATION: I declare under pe	enalty of perjury that I observed and/or determined that the above violation(s) have been committed.	above violation(s) l	nave been committed.
Inspector's Printed Name	Inspector's Signature	Badge No.	Date
KOLA, MOUHAMAN	Q o o o	127	88/0019
Comments: The 20 DCMR §3313.9 is for failure to ma	aintain and make available copies of all lead-related reports for a property	for a property.	

DEADLINE AND WARNING: If you fail to answer this Notice within twenty calendar days of the Date of Service, the Department of Energy and Environment (DOEE) may refer this matter to an administrative court, the District of Columbia Office of Administrative Hearings. DOEE is offering you an opportunity to resolve the violation(s) before referral. For more information, visit doee.dc.gov/oeej or contact DOEE at 202-741-2139 or DOEE.Enforcement@dc.gov.

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thêm thông tin, vui lòng gọi; 群情辭致笔 (202) 741-2139.

RESPONDENT'S DECLARATION: I declare under penalty of perjury that I have filled out this form to the best of my knowledge.  Check one of the following boxes if answering ADMIT or AWE: I have □ CORRECTED or □ NOT CORRECTED (check only one) all violation(s) listed in this Notice.	iry that I have filled out this form to the best of my knowle □ CORRECTED (check only	dge. one) all violation(s) listed in
Respondent's Name (print):	Respondent's Signature:	Date:
Street Address:	City: State:	Zip:

State:

City

Street Address:

Phone:

E-Mail:

## INSTRUCTIONS FOR ANSWERING THIS NOTICE

Answer each violation with a plea of ADMIT, ADMIT WITH EXPLANATION (AWE), or DENY.

- ANSWER Here column and complete the RESPONDENT'S DECLARATION. Return this Notice to the address below, with a check or money order for the To Admit and Pay the Fine. If you wish to admit liability for a violation, you must pay the fine at the same time. Write the word "ADMIT" in the Write amount of the fine, payable to the "D.C. Treasurer." We cannot accept cash payments. Write the Notice number on your check or money order.
- reduction. DOEE will determine whether you have submitted sufficient relevant evidence to support a fine reduction or suspension. Return this Notice, along deciding whether the fine should be reduced or suspended, write the letters "AWE" in the Write ANSWER Here column and complete the RESPONDENT'S with your written explanation and any supporting documents, photographs, or other materials, to the address below. Write the Notice number on the front of DECLARATION. Submit any written explanation or other evidence explaining the circumstances surrounding the violation that you believe justify a fine To Admit with Explanation. If you wish to admit liability for a violation, but want to submit an explanation that you would like DOEE to consider in any document you submit. તં
- RESPONDENT'S DECLARATION. At your option, submit a written explanation of the basis for your denial and any evidence supporting the explanation. Return this Notice, along with any optional written explanation, to the address below. Write the Notice number on the front of any document you submit. To Deny the Violation(s). If you wish to deny liability for a violation, write the word "DENY" in the Write ANSWER Here column and complete the 'n

DOEE will attempt to resolve with you any violation that you mark as "AWE" or "DENY," when an explanation is provided. If the violation Office of Administrative Hearings. IMPORTANT: Keep a copy of everything that you send to the Department of Energy and Environment. cannot be satisfactorily resolved, you will receive a Notice of Infraction directing you to file your response with the District of Columbia

SEND THIS COMPLETED AND SIGNED NOTICE AND YOUR CHECK OR MONEY ORDER, PAYABLE TO "D.C. TREASURER," TO: Office of Enforcement and Environmental Justice Department of Energy and Environment 1200 First Street, NE, 5th Floor Washington, DC 20002 Completed and signed Notices, but not payments, may also be sent via fax to 202-535-2881 or e-mail (in PDF format) to DOEE. Enforcement@dc.gov

### GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Energy and Environment



Office of Enforcement and Environmental Justice

October 9, 2019

76 M Incorporated 3104 Bruce Place SE Apartment 102 Washington, DC 20020-2951

Re: Issuance of Notice of Infraction DE-I-19-L500213

Dear Respondent:

On August 8, 2019, the Department of Energy and Environment issued Enforcement Notice DOEE-19-L500765 notifying you that you are violating or have violated District of Columbia laws or regulations. This notice offered you the opportunity to resolve the violation(s) with the Department prior to referral to an administrative court, the District of Columbia Office of Administrative Hearings.

Because you have not paid the fine, provided a sufficient explanation, or resolved the Enforcement Notice, the Department has taken the next step: issuance of the enclosed Notice of Infraction, which gives you 20 days to respond.

Your case number is DE-I-19-L500213. You must send your plea and explanation and evidence or your payment to:

Clerk, Office of Administrative Hearings One Judiciary Square, 441 4th Street, NW Suite 450 North Washington, DC 20001-2714

Telephone (202) 442-9094 Email: oah.filing@dc.gov

If you have any questions, please visit DOEE's website: <a href="https://doee.dc.gov/service/frequently-asked-questions-about-fines">https://doee.dc.gov/service/frequently-asked-questions-about-fines</a>, send an email to <a href="https://doee.dc.gov/service/frequently-asked-questions-about-fines">DOEE.Enforcement@dc.gov</a> or call (202) 741-2139.

Sincerely,

Beth Mullin

Deputy General Counsel

Beth Mullin

Enclosure

PLAINTIFF'S EXHIBIT

26







Infraction Address

6149 Kansas



### Notice of Infraction NOI No. DE-I-19-L500213

Name & Mailing Address 76 M Incorporated **Date of Service: 10-09-2019** 

Name & Mailing Address

Avenue NE						1
Washington, DC	3104 Bruce Pl	ace SE Apartment 102				
Ward: 4	Washington, I	OC 20020-2951				1
	Telephone:		Telephor		V 22	l l
	Charge as Res			is Respon	dent: 🔲	
		usiness License/Permit No.	•			
	n: Occupied apartme					
		District of Columbia laws o				
		in 15 calendar days of the d				
		ou must write your ANSWE				
		the fine), Admit With Expl				
explanation), or	DENY. If you DEN	NY one or more of the infra	ctions, you	must app	pear for a hea	aring. You
will receive a sep	parate order from t	he Office of Administrative	Hearings	(OAH) ac	lvising you w	here and
		ADDITIONAL INSTRUCT	TONS AT	ACHED		
Infraction Detai	IS					7 7
	C' 4' I	Nature of Infraction		Prior*	Actual Fine	Write
Date	Citation*	Nature of Intraction	n	rrior	Actual Fine	ANSWER
						Here
07-12-2019	20 DCMR 8 3313 9	Failure to maintain and make	available		\$500	
7-1 <b>2</b> -2019	/ 16 DCMR §	copies of all lead-related repor			1	
	4003.4	property				
* "D.C. Code" is	the District of Colu	mbia Official Code	TOTAL A	MOUNT	DUE: \$500	
		ia Municipal Regulations				
		1 1				
* "Prior" means	offor violations					
Inspector Comme	ents: The 20 DCMR	§3313.9 is for failure to main	ntain and m	ake availa	ble copies of	all lead-
Inspector Commerciated reports fo	ents: The 20 DCMR	§3313.9 is for failure to main	ntain and m	ake availa	ble copies of	all lead-
Inspector Commo related reports fo	ents: The 20 DCMR r a property.	*				
Inspector Commerciated reports fo	ents: The 20 DCMR r a property.  under penalty of perj	ury that I have CORRECT	ΓED or N	OT COR	RECTED (cl	
Inspector Commorelated reports for I hereby declare one) all of the inf	ents: The 20 DCMR r a property.  under penalty of perifractions(s) listed on	*	ΓED or N	OT COR	RECTED (cl	
Inspector Commerciated reports fo	ents: The 20 DCMR r a property.  under penalty of perifractions(s) listed on	ury that I have CORRECT	ΓED or N	OT COR	RECTED (cl	
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Inspector Commorelated reports for I hereby declare to one) all of the inf	ents: The 20 DCMR r a property.  under penalty of perifractions(s) listed on N.	ury that I have CORRECT	ΓED or N ΓΤED or A	OT COR DMITTE	RECTED (cl	heck only
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Inspector Commorelated reports for I hereby declare to one) all of the inf <b>EXPLANATIO</b> Name (print):	ents: The 20 DCMR r a property.  under penalty of perifractions(s) listed on N.	ury that I have CORRECT the Notice that were ADMIT	FED or N FTED or A Er	OT COR DMITTE	RECTED (cl	heck only
Inspector Commorelated reports for I hereby declare to one) all of the inf <b>EXPLANATIO</b> Name (print):  Street Address:	ents: The 20 DCMR r a property.  under penalty of perifractions(s) listed on N.	the Notice that were <b>ADMI</b> Telephone:	FED or N FTED or A Er	OT COR DMITTE	RECTED (cl. in the second seco	heck only

WARNING: If you fail to answer each infraction on this Notice on time by signing and returning this form, you will be subject to a penalty up to twice the amount of the fine, plus the original fine. You also may be subject to other penalties and actions allowed by law including suspension or non-renewal of your license or permit, the sealing of your business, placement of a lien on your property, and attachment of your equipment. FOR INFORMATION, CALL; Para obtener información llame al; Pour de plus amples renseignements, veuillez appeler le; ^m스톡 ይሆንን ቁጥር ይደውሉ ; 자세한 정보는(202) 442-9094로 문의하십시오. ; Để biết thêm thông tin, vui lòng gọi; 詳情請致電 (202) 442-9094. I personally declare under penalty of perjury that I observed and/or determined that the infraction(s) charged have been committed. **Inspector's Printed Name** Inspector's Signature Badge No. Program Date KOLA, MOUHAMAN 127 10/09/2019 LHHD (Lead) Receipt for Hand Delivery: I sign my name below to acknowledge receipt of this Notice of Infraction and not as an admission of guilt or liability to the charge(s) listed. Respondent's Printed Name Respondent's Signature Date

### **INSTRUCTIONS FOR ANSWERING THIS NOTICE OF INFRACTION**

**DEADLINE and WARNING:** You are charged with violating the District of Columbia laws or regulations stated in this Notice. You must answer this Notice within 15 calendar days of the date of service listed on the top of the first page of this Notice (20 calendar days if you received this Notice by mail). If you do not answer on time, you will be subject to an order finding you in default and assessing both the fine stated at the end of the Infraction Details section, and an additional penalty equal to two times the amount of that fine. You also may be subject to other penalties and actions allowed by law, including suspension or non-renewal of any District of Columbia license or permit that you hold, the sealing of your business, and the placement of a lien on property that you own.

WHERE TO ANSWER: Your answer must be received by the Office of Administrative Hearings by the deadline stated above. The Office of Administrative Hearings is an independent agency of the District of Columbia Government, and is separate from the agency that sent this Notice to you. You may answer by bringing or mailing your documents and check or money order to the following address:

Clerk, Office of Administrative Hearings Suite 450 North One Judiciary Square, 441 4<sup>th</sup> Street, NW Washington, DC 20001-2714

Telephone (202) 442-9094 • Fax (202) 442-4789

You may email your documents to oah.filing@dc.gov, along with the OAH cover sheet found at http://oah.dc.gov/node/148662, or fax the documents to (202) 442-4789. Payments must be made in person or by mail.

HOW TO ANSWER: You must answer each charge with a plea of ADMIT, ADMIT WITH EXPLANATION (AWE), or DENY. The instructions below give information about how to answer with each of these pleas.

- 1. To Admit and Pay the Fine. If you wish to admit liability for a violation, you also must pay the fine at the same time. Write the word "ADMIT" in the Write ANSWER Here column and sign the Notice. Mail or bring this Notice to the address above, with a check or money order for the amount of the fine, payable to the "D.C. Treasurer." Write the Notice number on your check or money order. The Office of Administrative Hearings cannot accept cash payments.
- 2. To Admit With Explanation and Request a Hearing By Mail. If you wish to admit liability for a violation, but want to submit an explanation that you would like an independent Administrative Law Judge to consider in deciding whether the fine should be reduced or suspended, write the letters "AWE" in the Write ANSWER Here column and sign the Notice. Mail or bring this Notice, along with your written explanation and any supporting documents, photographs, or other materials, to the address above.
- **3.** To Deny and Request an In-Person Hearing. If you wish to deny liability for a violation, write the word "DENY" in the Write ANSWER Here column and sign the Notice. Mail or bring this Notice to the address above. A hearing will be scheduled at which you and the inspector must appear. At the hearing, both you and the inspector can explain your positions to an independent Administrative Law Judge who will decide whether you committed the violation and whether you must pay a fine. You will receive a notice from the Office of Administrative Hearings with information about your hearing date.

IMPORTANT: Keep a copy of everything that you send to the Office of Administrative Hearings.

### DISTRICT OF COLUMBIA DEPARTMENT OF ENERGY AND ENVIRONMENT Petitioner, v. Case No: DE-I-19-L500213 Respondent

### PETITIONER'S DOCUMENT AND WITNESS LIST

Petitioner may offer any or all of the following documents at a hearing on this matter:

NUMBER	DESCRIPTION	DATE
100	ADMINISTRATIVE ORDER	04-26-2019
	7	
101	INVOCIE FOR REIMBURSEMENT OF COMPLIANT INVESTIGATION COSSTS	04-26-2019
102	CERTIFICATE OF SERVICE	04-26-2019
103	OFFICE OF TAX & REVENUE PROPERTY DETAIL	06-07-2019
104	DCRA BUSINESS ENTITY	06-26-2019
105		

In addition, Petitioner may call any or all of the following witnesses:

NAME	TITLE	CONTACT INFORMATION
Mouhaman Kola	Environmental Protection Specialist	1200 First Street, NE, 5th Floor Washington, DC 20002

Mountain Rola	Environmental Protection Specialist	Washington, DC 20002
Respectfully submitted,		
Mouhaman Kola	127	1009/2019
Printed Name	Badge Number	Date
Signature Signature		

☐ OAH ☐ RESPONDENT ☐ INSPECTORM 0015 ATTORNEY ☐	ENFORCEMENT
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FORM DOEE - 800, Rev. 4-10

### GOVERNMENT OF THE DISTRICT OF COLUMBIA

### Department of Energy and Environment

Lead-Safe and Healthy Housing Division



04-26-2019

### ADMINISTRATIVE ORDER AO No. DOEE-19-L-50001775

Name & Mailing Address
Telephone:
Business License/Permit No:

The Department of Energy and Environment is issuing this Order pursuant to D.C. Code § 8-231.03(c) and 20 DCMR § 3320. The interior and exterior of dwelling units and child-occupied facilities are presumed to contain lead-based paint if constructed prior to 1978, and any paint that is deteriorated, chipping, peeling, or otherwise not intact is considered to be a lead-based paint bazard and is prohibited (20 DCMR § 3301.1).

Department Facts/Findings: Lead-based paint hazards were identified at the property during a complaint investigation on April 18, 2019.

Lead-based paint hazards were	identified at 6149 Kansas Avenue NE in the following areas:
ROOM	COMPONENT
<ul><li>OUTSIDE</li><li>OUTSIDE</li><li>OUTSIDE</li></ul>	<ul> <li>DOOR (B)</li> <li>DOOR LINTEL (B)</li> <li>DOOR JAMB (B)</li> </ul>

 $76\,\mathrm{M}$  INC is hereby ORDERED to complete the following actions at 6149 Kansas Avenue NE :

Authority	Required Action(s)	Complete by Date
20 DCMR § 3318.6	Following the requirements of 20 DCMR § 3318.6, USE INTERIM CONTROLS to repair any deteriorating paint identified as a lead-based paint hazard in this Order, and re-paint the surface, making sure that the paint is now in intact condition. You must also repair any underlying condition contributing to paint failure and must eliminate any dust and/or soil hazards. All work MUST BE PERFORMED BY	5/26/2019

### Administrative Order AO No. DOEE-19-L-50001775

Authority	Required Action(s)	Complete by Date
	SOMEONE TRAINED IN LEAD- SAFE WORK PRACTICES pursuant to 20 DCMR § 3302.	
20 DCMR §§ 3315.4, 3315.5, and 3315.8.	OBTAIN A CLEARANCE REPORT that meets the requirements of 20 DCMR § 3318.7 from a DC-certified lead risk assessor, who must verify that all lead-based paint hazards identified were eliminated, along with any identified underlying conditions contributing to paint failure, and who must also specifically confirm that no lead-contaminated dust remains in any work area. If the risk assessor is working on behalf of a firm or business entity, the firm or business entity must also be certified in accordance with 20 DCMR § 3311. Submit the clearance accordance with 7 business days of its issuance.	
20 DCMR §§ 3315.4(a) and 3315.8.	Have an additional clearance examination conducted thirty-six (36) months, after completion of the interim control activities, and submit the clearance report to DOEE within 7 days of issuance.	See the required action(s) for the complete by timeframes.

П	If checked.	see	attachment

<u>Important</u>: Failure of any order recipient to comply with this Order may result in an enforcement action, including but not limited to permit or certification revocation and a fine of up to \$25,000 per day.

Issued by KOLA, MOUHAMAN, Lead-Safe	e and Healthy Housing Division.	
Signature:	Date/Time: 4/26/2019	

To discuss this Order or to request an extension, contact the Lead-Safe and Healthy Housing Division at (202) 578-5858.



Language Assistance SI necesita ayuda en Español, por favor llame ai (202) 442-9094 para proporcionarle un Intérprete <u>de manera gratuita</u>. Nếu quý vị cần giúp đỡ về tiếng Việt, xin gọi (202) 442-9094 để chúng tội thu xếp có thông dịch viên đến giúp quý vị <u>miền</u>

phí.
Si vous avez besoin d'aide en Français appelez-le (202) 442-9094 et l'assistance d'un interprète vous sera <u>fournle gratuitement</u>.

미 차 역 C 축 차 C 용 ታ h ፈ ሉ 가 제 (202) 442-9094 ይ ይ ው 차 ። 우 한 한 차 ስ 수 C 유 역 ይ 여도 게 ል ዎ ታ ል ። 한국 어로 언어 지원이 필요하신 경우 (202) 442-9094 로 연락을 주시면 <u>무료로</u> 통역이 제공됩니다.

Page 2 of 3

### Administrative Order AO No. DOEE-19-L-50001775

如果您需要用 (中文)接受幫助,請電洽(202)442-9094,將免費向您提供口譯員服務。

You may request a 30-day extension of the deadline(s) in this Order, but it will be granted only if submitted prior to the deadline(s) and if you demonstrate that you are proceeding in good faith. A request for an extension must be submitted in writing to DOEE's Lead-Safe and Healthy Housing Division at 1200 First Street, NE, 5<sup>th</sup> Floor, Washington, D.C. 20002 or by e-mail to lead.extension@dc.gov. Please address the extension request to the person who issued this Order.

You have the right to appeal this Order by requesting a hearing at the District of Columbia Office of Administrative Hearings. You may file your case using an online form at oah.dc.gov or by mailing or delivering a written request for a hearing to the Office of Administrative Hearings • Atm: Court Clerk • 441 Fourth Street NE, Suite 450N • Washington, DC 20001 • Tel. (202) 442-9094. You have a right to a lawyer at your own expense.

You must request a hearing within 15 days of the date of this Order (20 days if you received the Order by mail) or the Order will become final.

Page 3 of 3

### GOVERNMENT OF THE DISTRICT OF COLUMBIA Department of Energy and Environment

Lead-Safe and Healthy Housing Division Lead Compliance & Enforcement Branch

### April 26, 2019

To:

76 M INC 3104 Bruce Place SE Apartment 102 Washington, DC 20020-2951

### Invoice for Reimbursement of Complaint Investigation Costs

A Department of Energy and Environment (DOEE) risk assessor conducted a risk assessment for lead-based paint hazards at the property located at 6149 Kansas Avenue NE Washington, DC 20011, on April 18, 2019. As a result of this risk assessment, lead-based paint hazards were identified, and an Administrative Order to Eliminate Lead-Based Paint Hazards was issued to the property owner on April 26, 2019.

Pursuant to 20 DCMR §3320.3(d), property owners are required by law to reimburse the District for costs associated with the lead-based paint hazard evaluation that resulted in the identification of lead-based paint hazards. The costs associated with this risk assessment total \$500.

Accordingly, please send a check or money order payable to "DC Treasurer" in the amount of \$500 to this office, at the address below, within 30 days of the issue date of this invoice. Include on the check or money order the property address where the DOEE risk assessment occurred.

Notice: If you do not pay this invoice within the indicated timeframe, additional fines, fees, or penalties may be imposed.

Payments are to be mailed to the following address:

Department of Energy and Environment 1200 First Street, NE / 5<sup>th</sup> Floor Washington, DC 20002 Attn: Lead-Safe and Healthy Housing Division

### Itemized Expenses for Risk Assessment Reimbursement

Risk Assessment	175
XRF Usage	75
Travel	25
Lab Samples	175
Report	50
Total Costs to be Reimbursed	500

Call 202-535-1934 with any questions.

Amber A. Sturdivant

Branch Chief, Lead Compliance and Enforcement Branch



1200 First St. NE, 5th Floor, Washington, DC 20002 | tel: 202.535.2600 | web: DOEE.dc.gov

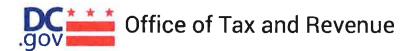


### **CERTIFICATE OF SERVICE**

Property Address 6149 Kansas Ave., NE #1 WDC 20011

The undersigned declares that he or she is over 18 years of age and has served or caused to be served a true copy of this Administrative Order on: April 29, 2019

Respondent 1	Respondent 1's Agent	Respondent 2	Respondent 2's Agent
Respondent's address			
76 M INC			l .
3104 Bruce Place, SE #102			
Washington, DC 20020-2951			
ADDRESSEE	ADDRESSEE	ADDRESSEE	ADDRESSEE
Person served is the:	Person served is the:	Person served is the:	Person served is the:
⊠ Respondent	Registered Agent	Respondent	Registered Agent
spss	Respondent's Counsel	·	Respondent's Counsel
ATTACHMENTS	Other-	<b>ATTACHMENTS</b>	Other-
(circle/check box)		(circle/check box)	
Order, Notice Report	<b>ATTACHMENTS</b>	Order, Notice, Report,	<u>ATTACHMENTS</u>
DEICD Single Family	(circle/check box)	DHCD Single Family	(circle/check box)
Rehab, Contractor lists	Order, Notice, Report,	Rehab, Contractor lists	Order, Notice, Report,
Letter	DHCD Single Family	Letter	DHCD Single Family
_	Rehab, Contractor lists		Rehab, Contractor lists
SERVICE METHOD	Letter	SERVICE METHOD	Letter
U.S. Mail First-Class		U.S. Mail First-Class	OFFICE METHOD
Postage Prepaid	SERVICE METHOD	Postage Prepaid	SERVICE METHOD
Certified Mail, RRR	U.S. Mail First-Class	Certified Mail, RRR	U.S. Mail First-Class
Conspicuous Posting	Postage Prepaid	Conspicuous Posting	Postage Prepaid
on the Premise	Certified Mail, RRR	on the Premises	Certified Mail, RRR
Other-	Conspicuous Posting on	Other -	Conspicuous Posting
	the Premises	A DDDDGG GOLIDGE	on the Premises
ADDRESS SOURCE	Other-	ADDRESS SOURCE Recorder of Deeds	Other -
Recorder of Deeds	A DED DE CO COUNCE	DCRA records	ADDRESS SOURCE
DCRA records	ADDRESS SOURCE	DOEE Records	Recorder of Deeds
DOEE records	Recorder of Deeds	Land	DCRA records
Other-Tax & Revenue	DCRA records	Other -	DOEE records
	DOEE records		
I certify, under penalty	Other-		Other-
of perjury that:			
I am unable to determine			
whether the respondent is			
in the military service of			
the United States			
Printed Name	Signature	/cm	Date of Service
SERVER NAME		in to	Porton
Karen Gordon	Hove,	NJUN1	U41W 29299
Tan on Goraon	1 100		





### **Property Detail**

Address: 6149 KANSAS AVE NE

SSL:

3720W 0038

Record Details

Neighborhood:

**TAKOMA** 

Sub-Neighborhood:

Use Code:

23 - Residential Flats-

Class 3 Exception:

No

Less than 5 TX - Taxable

Tax Class:

Tax Type:

\*\* Not receiving the Homestead Deduction

001 - Residential

**Homestead Status:** 

REGINALD JACKSON

Gross Building Area:

4

Land Area:

Assessor:

4,424

**Triennial Group:** 

Owner and Sales Information

Owner Name(s):

Care Of:

Mailing Address:

76 M INC

3104 BRUCE PL SE APT 102, WASHINGTON DC 20020-2951

Sale Price:

\$276,000

Recordation Date:

06/18/2012

Instrument No.:

65513

Sales Code:

M1 MULTI-VERIFIED SALE

Sales Type:

I - IMPROVED

Tax Year 2020 Preliminary Assessment Roll

	,	
	Current Value (2019)	Proposed New Value (2020)
Land:	\$336,930	\$361,180
Improvements:	\$168,700	\$183,000
Total Value:	<b>\$5</b> 05,630	\$544,180
Taxable Assessment: *	\$505.630	\$544 180

<sup>\*</sup> Taxable Assessment after Tax Assessment Credit and after \$74,850 Homestead Credit, if applicable. (Click here for more information).

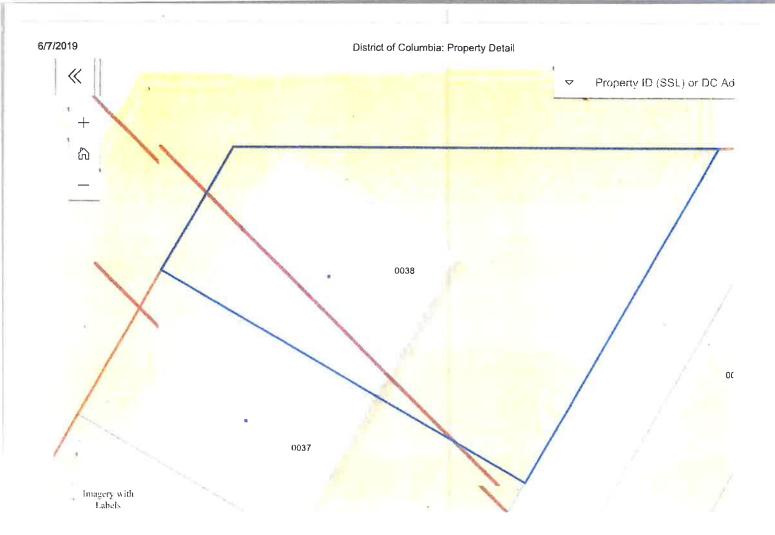
If the real property does not appear on the map below, please either search the map manually or email questions or feedback to maps.title@dc.gov. If emailing, please provide the Square Suffix Lot and property address (if applicable).

### Pay Here

View Tax Information | View Property Features | View Payments | View Current Tax Bill

Petitioner's Exhibit 103

<sup>\*\*</sup> If you believe you should be receiving tax relief through the Homestead deduction program and if you are domiciled in the District and this property is your principal place of residence, you can access the link below, complete the form, and return it per the instructions. For additional information regarding the Homestead program, call (202)727-4TAX. Click here to download the Homestead Deduction and Senior Citizen Tax Relief application \*



311 Online Agency Directory Online Services Accessibility



### **Department of Consumer and Regulatory Affairs**

Home Edit Account | Log Out

### 76 M INC. - Initial File Number: 962641

Entity Info		
Busines	s Name	76 M
Suffix		INC.
Registra	tion / Effective Date	8/14/1996
Comme	cement Date	8/14/1996
Entity St	atus	Active
Foreign	Name	NA .
Date of	Organization	8/14/1996
State		District of Columbia
Country		USA
Business	Address	
Line1	3104 BRUCE PL S.E	
Line2	#201	
City	WASHINGTON DC	State District of Columbia Zlp 20020
Agent		
ls non-c	ommercial Register	red Agent? Yes
Name		PETER ODAGBODO
Address		
Line1	3104 BRUCE PLA	ACE S.E. #102
Line2	#201	
City	Washington Sta	ate District of Columbia Zip 20020
	Dodo	gbodo@sol.com

Return to Home

### CERTIFICATE OF SERVICE

Case Number DOEE-19-L500765

The undersigned declares that he or she is over 18 years of age and has served or caused to be served a true copy of this Enforcement Notice on: Respondent 2's Agent Respondent 2 Respondent 1's Agent Respondent 1 76 M Incorporated 3104 Bruce Place SE Apartment 102 Washington, DC 20020-2951 ADDRESSEE ADDRESSEE **ADDRESSEE** ADDRESSEE Person served is the: Person served is the: Person served is the: Person served is the: Respondent Registered Agent Registered Agent **⊠**Respondent Respondent's Counsel Respondent's Counsel Other-Other-ATTACHMENTS ATTACHMENTS ATTACHMENTS ATTACHMENTS Lists and Exhibits Lists and Exhibits Lists and Exhibits ✓ Lists and Exhibits Other-Other-Other-Other-SERVICE METHOD SERVICE METHOD SERVICE METHOD SERVICE METHOD U.S. Mail First-Class U.S. Mail First-Class U.S. Mail First-Class U.S. Mail First-Class Postage Prepaid Postage Prepaid Postage Prepaid Postage Prepaid Certified Mail, RRR Certified Mail, RRR Certified Mail, RRR Certified Mail, RRR Conspicuous Posting Conspicuous Posting Conspicuous Posting Conspicuous Posting on the Premises on the Premises on the Premises on the Premise Other -Other -Other-Other-ADDRESS SOURCE ADDRESS SOURCE ADDRESS SOURCE ADDRESS SOURCE Recorder of Deeds Recorder of Deeds Recorder of Deeds Recorder of Deeds DCRA records DCRA records DCRA records DCRA records DOEE Records DOEE records DOEE records DOEE records Other -Other-Other-☑ Other-Office of Tax and Revenue

I certify, under penalty of perjury that: I am unable to determine

whether the respondent is in the military service of the United States

Printed Name Diane Johnson

Signature

Date of Service

### **CERTIFICATE OF SERVICE**

Case Number DE-I-19-L500213

The undersigned declares that he or she is over 18 years of age and has served or caused to be served a true copy of this Notice of Infraction on:

Respondent 1	Respondent 1's Agent	Respondent 2	Respondent 2's Agent
76 M Incorporated			
3104 Bruce Place SE		7	
Apartment 102			
Washington, DC 20020-			
2951			
ADDRESSEE Person served is the:	ADDRESSEE Person served is the:	ADDRESSEE Person served is the:	ADDRESSEE Person served is the:
⊠Respondent	Registered Agent	Respondent	Registered Agent
	Respondent's Counsel		Respondent's Counsel
	Other-		Other-
ATTACHMENTS	ATTACHMENTS Lists and Exhibits	ATTACHMENTS Lists and Exhibits	ATTACHMENTS Lists and Exhibits
Other-	Other-	Other-	Other-
	CEDUICE METHOD	SERVICE METHOD	SERVICE METHOD
SERVICE METHOD	SERVICE METHOD U.S. Mail First-Class	U.S. Mail First-Class	U.S. Mail First-Class
U.S. Mail First-Class  Postage Prepaid	Postage Prepaid	Postage Prepaid	Postage Prepaid
Certified Mail, RRR	Certified Mail, RRR	Certified Mail, RRR	Certified Mail, RRR
Conspicuous Posting	Conspicuous Posting on	Conspicuous Posting	Conspicuous Posting
on the Premise	the Premises	on the Premises	on the Premises
Other-	Other-	Other -	Other -
	_		
ADDRESS SOURCE	ADDRESS SOURCE	ADDRESS SOURCE Recorder of Deeds	ADDRESS SOURCE
Recorder of Deeds	Recorder of Deeds	DCRA records	Recorder of Deeds DCRA records
DCRA records	DCRA records DOEE records	DOEE Records	DOEE records
DOEE records	Other-	Other -	Other-
Other-	☐ Other-	Other -	Other-
Office of Tax and			
Revenue			
I certify, under penalty			
of perjury that:			
I am unable to determine			
whether the respondent is		*	
in the military service of			26
the United States			
Printed Name	Signature		Date of Service
Delphine Harper	Helmhe	i Hayer	10/9/2019
L	The second second		11

### **GOVERNMENT OF THE DISTRICT OF COLUMBIA**

### Department of Energy and Environment



### Office of Enforcement and Environmental Justice

January 14, 2020

76 M Incorporated 3104 Bruce Place SE #201 Washington, DC 20020

Re: Issuance of Notice of Infraction DE-I-20-L500237

### Dear Respondent:

On October 29, 2019, the Department of Energy and Environment issued Enforcement Notice DOEE-19-L500792 notifying you that you are violating or have violated District of Columbia laws or regulations. This notice offered you the opportunity to resolve the violation(s) with the Department prior to referral to an administrative court, the District of Columbia Office of Administrative Hearings.

Because you have not paid the fine, provided a sufficient explanation, or resolved the Enforcement Notice, the Department has taken the next step: issuance of the enclosed Notice of Infraction, which gives you 20 days to respond.

Your case number is DE-I-20-L500237. You must send your plea and explanation and evidence or your payment to:

Clerk, Office of Administrative Hearings One Judiciary Square, 441 4<sup>th</sup> Street, NW Suite 450 North Washington, DC 20001-2714

Telephone (202) 442-9094 Email: oah.filing@dc.gov

If you have any questions, please visit DOEE's website: <a href="https://doee.dc.gov/service/frequently-asked-questions-about-fines">https://doee.dc.gov/service/frequently-asked-questions-about-fines</a>, send an email to <a href="mailto:DOEE.Enforcement@dc.gov">DOEE.Enforcement@dc.gov</a> or call (202) 741-2139.

Sincerely,

Beth Mullin

Deputy General Counsel

Beth Mulli

Enclosure

PLAINTIFF'S EXHIBIT 27









### **Notice of Infraction** NOI No. DE-I-20-L500237

	s Name & Mail	Name & Mailing Address			Name & Mailing Address			
Infraction Addres 6145 Kansas		76 M Incorporated						
Avenue NW #1		3104 Bruce Place SE #201						
Washington, DC		Washington, DC 20020						
Ward: 4	, ,		1					
	Telephone:		Telephone:					
				Charge as Respondent:				
Business License/ Type of Location:	Permit Type: B	usiness License/Permit No.						
SIGN and SEND calendar days if so whether you ADM explanation), or D will receive a sepawhen to appear for the series of the ser	IN this form within the control of t	District of Columbia laws in 15 calendar days of the county wite your ANSW the fine), Admit With Expoyr one or more of the infrance of Administrative ADDITIONAL INSTRUCT	date of serv ER next to oblanation (A actions, you e Hearings	ice if serv each infra WE) ( <i>you</i> must ap <sub>l</sub> (OAH) ac	ed by hand, of action to indic a <i>must submit</i> pear for a hea dvising you w	or 20 cate a written oring. You		
Infraction Details				27 117				
Date	Citation*	Nature of Infraction		Prior*	Actual Fine	Write ANSWEI Here		
	D.C. Official Code § 8-231.03(d)(1)(E) / 16 DCMR § 4003.9	Failure to pay the invoice for reimbursement of risk assessment costs			\$100			
- 11 - 21 - 2	20 DCMR §	Failure to comply with a DOI		\$1,000				
	3318.6(a) / 16 DCMR § 4003.2(q)	apply interim controls, in con with D.C. Official Code § 8-2	231.15(a).					
	DCMR § 4003.2(q) the District of Col District of Colum	with D.C. Official Code § 8-2 umbia Official Code	231.15(a).	MOUNT	DUE: \$1,10	0		
* "D.C. Code" is  * "DCMR" is the  Regulationseans  Inspector Commo	DCMR § 4003.2(q) the District of Col District of Colum prior violations ents:	with D.C. Official Code § 8-2 umbia Official Code bia Municipal	231.15(a).  TOTAL A	18				
* "D.C. Code" is the * "DCMR" is the Regularionseans Inspector Commo	he District of Columbrations ents:	with D.C. Official Code § 8-2 umbia Official Code	TOTAL A	r NOT	CORRECTE	D (check		
* "D.C. Code" is * "DCMR" is the Regulationscans Inspector Commo	he District of Columbrations ents:	with D.C. Official Code § 8-2 umbia Official Code bia Municipal  perjury that I have COR	TOTAL A  RECTED o e ADMITT	r NOT	CORRECTE	D (check		

RESPONDENT'S SIGNATURE:		DATE:			
WARNING: If you fail to answer form, you will be subject to a pen may be subject to other penalties license or permit, the sealing of your equipment.	alty up to twice t and actions allov	he amount of the yed by law incl	he fine, plus the uding suspension	e original fine. on or non-rene	You also ewal of your
FOR INFORMATION, CALL; Powerillez appeler le; Ama(著 という) まthêm thông tin, vui lòng gọi; 詳情	ተር ይደውሉ ; 자서	l한 정보는(20 <b>2</b>	_	•	
I personally declare under penalty have been committed.	of perjury that I	observed and/or	determined the	at the infraction	n(s) charged
Inspector's Printed Name	Inspector's Signature		Badge No.	Program	Date
WRIGHT, SHAWN	Shown Stringst		58	LHHD (Lead)	1/14/2020
Receipt for Hand Delivery:		0			
I sign my name below to acknowled or liability to the charge(s) listed.	edge receipt of th	is Notice of In	fraction and no	t as an admiss	ion of guilt
Respondent's Printed N	Resp	Date			

### INSTRUCTIONS FOR ANSWERING THIS NOTICE OF INFRACTION

**DEADLINE and WARNING:** You are charged with violating the District of Columbia laws or regulations stated in this Notice. You must answer this Notice within 15 calendar days of the date of service listed on the top of the first page of this Notice (20 calendar days if you received this Notice by mail). If you do not answer on time, you will be subject to an order finding you in default and assessing both the fine stated at the end of the Infraction Details section, and an additional penalty equal to two times the amount of that fine. You also may be subject to other penalties and actions allowed by law, including suspension or non-renewal of any District of Columbia license or permit that you hold, the sealing of your business, and the placement of a lien on property that you own.

WHERE TO ANSWER: Your answer must be received by the Office of Administrative Hearings by the deadline stated above. The Office of Administrative Hearings is an independent agency of the District of Columbia Government, and is separate from the agency that sent this Notice to you. You may answer by bringing or mailing your documents and check or money order to the following address:

Clerk, Office of Administrative Hearings Suite 450 North One Judiciary Square, 441 4<sup>th</sup> Street, NW Washington, DC 20001-2714

Telephone (202) 442-9094 Fax (202) 442-4789

You may email your documents to oah.filing@dc.gov, along with the OAH cover sheet found at http://oah.dc.gov/node/148662, or fax the documents to (202) 442-4789. Payments must be made in person or by mail.

HOW TO ANSWER: You must answer each charge with a plea of ADMIT, ADMIT WITH EXPLANATION (AWE), or DENY. The instructions below give information about how to answer with each of these pleas.

- 1. To Admit and Pay the Fine. If you wish to admit liability for a violation, you also must pay the fine at the same time. Write the word "ADMIT" in the Write ANSWER Here column and sign the Notice. Mail or bring this Notice to the address above, with a check or money order for the amount of the fine, payable to the "D.C. Treasurer." Write the Notice number on your check or money order. The Office of Administrative Hearings cannot accept cash payments.
- 2. To Admit With Explanation and Request a Hearing By Mail. If you wish to admit liability for a violation, but want to submit an explanation that you would like an independent Administrative Law Judge to consider in deciding whether the fine should be reduced or suspended, write the letters "AWE" in the Write ANSWER Here column and sign the Notice. Mail or bring this Notice, along with your written explanation and any supporting documents, photographs, or other materials, to the address above.
- 3. To Deny and Request an In-Person Hearing. If you wish to deny liability for a violation, write the word "DENY" in the Write ANSWER Here column and sign the Notice. Mail or bring this Notice to the address above. A hearing will be scheduled at which you and the inspector must appear. At the hearing, both you and the inspector can explain your positions to an independent Administrative Law Judge who will decide whether you committed the violation and whether you must pay a fine. You will receive a notice from the Office of Administrative Hearings with information about your hearing date.

IMPORTANT: Keep a copy of everything that you send to the Office of Administrative Hearings.

### GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Energy and Environment



Office of Enforcement and Environmental Justice

January 23, 2020

76 M Incorporated 3104 Bruce Place SE #102 Washington, DC 20020

Re: Issuance of Notice of Infraction DE-I-20-L500241

### Dear Respondent:

On December 5, 2019, the Department of Energy and Environment issued Enforcement Notice DOEE-19-L500799 notifying you that you are violating or have violated District of Columbia laws or regulations. This notice offered you the opportunity to resolve the violation(s) with the Department prior to referral to an administrative court, the District of Columbia Office of Administrative Hearings.

Because you have not paid the fine, provided a sufficient explanation, or resolved the Enforcement Notice, the Department has taken the next step: issuance of the enclosed Notice of Infraction, which gives you 20 days to respond.

Your case number is DE-1-20-L500241. You must send your plea and explanation and evidence or your payment to:

Clerk, Office of Administrative Hearings One Judiciary Square, 441 4<sup>th</sup> Street, NW Suite 450 North Washington, DC 20001-2714

Telephone (202) 442-9094 Email: oah.filing@dc.gov

If you have any questions, please visit DOEE's website: <a href="https://doee.dc.gov/service/frequently-asked-questions-about-fines">https://doee.dc.gov/service/frequently-asked-questions-about-fines</a>, send an email to <a href="mailto:DOEE.Enforcement@dc.gov">DOEE.Enforcement@dc.gov</a> or call (202) 741-2139.

Sincerely, Beth Mulli

Beth Mullin

Deputy General Counsel

Enclosure

PLAINTIFF'S EXHIBIT

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### Notice of Infraction NOI No. DE-I-20-L500241

**Date of Service: 01-23-2020** 

Infraction Addr	ess Name & Mail	ing Address	& Mailing Address					
6147 Kansas	76 M Incorpor	ated						
Avenue NE #1				58				
Washington, DC								
Ward: 4	Washington, D							
		Telephone:			Telephone:			
	Charge as Res		as Respondent:					
<b>Business License</b>	V 1	usiness License/Permit No	.:					
	n: Occupied apartme							
SIGN and SENI calendar days if whether you AD explanation), or will receive a se	D IN this form withit served by mail. You must pay DENY. If you DEN parate order from the parate or the parate	District of Columbia laws n 15 calendar days of the u must write your ANSW the fine), Admit With Exply one or more of the infrhe Office of Administrative	date of serv ER next to blanation (A actions, you e Hearings	vice if serv each infra AWE) (you must app (OAH) ac	ed by hand, on the control of the co	or 20 cate <i>a written</i> cring. You		
when to appear	for your hearing. A	ADDITIONAL INSTRUC	TIONS AT	TACHED				
Infraction Deta								
Date	Citation*	Nature of Infraction		Prior*	Actual Fine	Write ANSWEI Here		
9-30-2019	20 DCMR § 3318.6(a) / 16 DCMR § 4003.2(q)	Failure to comply with a DOEE order to apply interim controls, in conformance with D.C. Official Code § 8-231.15(a).			\$1,000			
9-30-2019	D.C. Official Code § 8-231.03(d)(1)(E) / 16 DCMR § 4003.9	Failure to pay the invoice for		0	\$100			
		nbia Official Code a Municipal Regulations	TOTAL A	AMOUNT	DUE: \$1,10	0		
Inspector Comm			<b>Y</b>					
1								
I hereby declare one) all of the in EXPLANATIO		the Notice that were ADM			RECTED (cl	neck only		
Name (print):		Telephone:	E	mail:				
Street Address:		City:		State	: ZIP:			

RESPONDENT'S SIGNATURE:DATE:							
WARNING: If you fail to answer of form, you will be subject to a penal may be subject to other penalties a license or permit, the sealing of you your equipment.	lty up to twice the nd actions allowe	amount of the	e fine, plus the ding suspension	e original fine. On or non-rene	You also wal of your		
FOR INFORMATION, CALL; Paveuillez appeler le; Amas という中 thêm thông tin, vui lòng gọi; 詳情	rc e.g.con ; 자세 請致電 (202) 442	한 정보는(202) -9094.	) 442-9094로 문	음의하십시오. ;	<i>Để</i> biết		
I personally declare under penalty of perjury that I observed and/or determined that the infraction(s) charged have been committed.							
Inspector's Printed Name	Anspector's	Signature	Badge No.	Program	Date		
KROMER, MAXWELL	66916		102	LHHD (Lead)	1/23/20		
Receipt for Hand Delivery:	( )						
I sign my name below to acknowle or liability to the charge(s) listed.	dge receipt of this	Notice of Inf	raction and no	t as an admiss	ion of guilt		
Respondent's Printed N	ame	Resp	Date				

### INSTRUCTIONS FOR ANSWERING THIS NOTICE OF INFRACTION

**DEADLINE and WARNING:** You are charged with violating the District of Columbia laws or regulations stated in this Notice. You must answer this Notice within 15 calendar days of the date of service listed on the top of the first page of this Notice (20 calendar days if you received this Notice by mail). If you do not answer on time, you will be subject to an order finding you in default and assessing both the fine stated at the end of the Infraction Details section, and an additional penalty equal to two times the amount of that fine. You also may be subject to other penalties and actions allowed by law, including suspension or non-renewal of any District of Columbia license or permit that you hold, the sealing of your business, and the placement of a lien on property that you own.

WHERE TO ANSWER: Your answer must be received by the Office of Administrative Hearings by the deadline stated above. The Office of Administrative Hearings is an independent agency of the District of Columbia Government, and is separate from the agency that sent this Notice to you. You may answer by bringing or mailing your documents and check or money order to the following address:

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Telephone (202) 442-9094 • Fax (202) 442-4789

You may email your documents to oah.filing@dc.gov, along with the OAH cover sheet found at http://oah.dc.gov/node/148662, or fax the documents to (202) 442-4789. Payments must be made in person or by mail.

**HOW TO ANSWER:** You must answer each charge with a plea of **ADMIT, ADMIT WITH EXPLANATION** (**AWE**), or **DENY**. The instructions below give information about how to answer with each of these pleas.

- 1. To Admit and Pay the Fine. If you wish to admit liability for a violation, you also must pay the fine at the same time. Write the word "ADMIT" in the Write ANSWER Here column and sign the Notice. Mail or bring this Notice to the address above, with a check or money order for the amount of the fine, payable to the "D.C. Treasurer." Write the Notice number on your check or money order. The Office of Administrative Hearings cannot accept cash payments.
- 2. To Admit With Explanation and Request a Hearing By Mail. If you wish to admit liability for a violation, but want to submit an explanation that you would like an independent Administrative Law Judge to consider in deciding whether the fine should be reduced or suspended, write the letters "AWE" in the Write ANSWER Here column and sign the Notice. Mail or bring this Notice, along with your written explanation and any supporting documents, photographs, or other materials, to the address above.
- **3.** To Deny and Request an In-Person Hearing. If you wish to deny liability for a violation, write the word "DENY" in the Write ANSWER Here column and sign the Notice. Mail or bring this Notice to the address above. A hearing will be scheduled at which you and the inspector must appear. At the hearing, both you and the inspector can explain your positions to an independent Administrative Law Judge who will decide whether you committed the violation and whether you must pay a fine. You will receive a notice from the Office of Administrative Hearings with information about your hearing date.

IMPORTANT: Keep a copy of everything that you send to the Office of Administrative Hearings.



## GOVERNIMENT OF THE DISTRICT OF COLUMBIA

## Department of Energy and Environment

### ENFORCEMENT NOTICE





Date of Service: October 17, 2019

Lead-Safe and Healthy Housing Division

You are violating or have violated the District of Columbia laws or regulations stated below. Answer and sign this Notice within twenty calendar days of the Date of Service. Before you answer this Notice, please review the "Instructions for Answering this Notice" on the second page.

LOCATION OF VIOLATION	NAME & MAILING ADDRESS	NAME & MAILING ADDRESS
<u>Address</u> 6149 Kansas Avenue NE Washington, DC 20011 Ward: 4	76 M Incorporated 3104 Bruce Place SE Apartment 201 Washington, DC 20020-2951	
Location Type: Occupied apartment	Charge as Respondent: X	Charge as Respondent:
Business License/Permit Type:	Business License/Permit No.:	se/Permit No.:

DATE	LEGAL REQUIREMENT	DESCRIPTION OF VIOLATION	FINE	Write ANSWER Here
10-02-2019	20 DCMR § 3318.6(a)	Failure to comply with a DOEE order to apply interim controls, in conformance with D.C. Official Code § 8-231.15(a).	srim \$1,000 § 8-	
10-02-2019	D.C. Official Code § 8- 231.03(d)(1)(E)	Failure to pay the invoice for reimbursement of risk assessment costs	k \$100	
"D.C. Code" me "DCMR" means	*"D.C. Code" means the District of Columbia Official Code *"DCMR" means the D.C. Municipal Regulations	ficial Code TOTAL AMOUNT: \$1,100		

Inspector's Printed Name  KOLA, MOUHAMAN	Dodge Ma	
KOLA, MOUHAMAN	Dauge No.	Date
	127	2106/4/01
Comments:		PLAINTIFF'S

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Page 2 of 3

DEADLINE AND WARNING: If you fail to answer this Notice within twenty calendar days of the Date of Service, the Department of Energy and Environment (DOEE) may refer this matter to an administrative court, the District of Columbia Office of Administrative Hearings. DOEE is offering you an opportunity to resolve the violation(s) before referral. For more information, visit doee.dc.gov/oeej or contact DOEE at 202-741-2139 or DOEE.Enforcement@dc.gov.

veuillez appeler le; ሰጦሪ혹 ይሀንን ቁጥር ይደውሉ ; 자세한 정보는 (202) 741-2139로 문의하십시오. ; *Dè* biết FOR INFORMATION, CALL; Para obtener información llame al; Pour de plus amples renseignements,

thêm thông tin, vui lòng gọi; 群情請致電 (202) 741-2139.

Check one of the following boxes if answering ADMIT or AWE: I have  $\Box$  CORRECTED or  $\Box$  NOT CORRECTED (check only one) all violation(s) listed in Date: Zip: RESPONDENT'S DECLARATION: I declare under penalty of perjury that I have filled out this form to the best of my knowledge. State: Respondent's Signature: City: E-Mail: Respondent's Name (print): Street Address: this Notice. Phone:

## INSTRUCTIONS FOR ANSWERING THIS NOTICE

Answer each violation with a plea of ADMIT, ADMIT WITH EXPLANATION (AWE), or DENY.

- ANSWER Here column and complete the RESPONDENT'S DECLARATION. Return this Notice to the address below, with a check or money order for the 1. To Admit and Pay the Fine. If you wish to admit liability for a violation, you must pay the fine at the same time. Write the word "ADMIT" in the Write amount of the fine, payable to the "D.C. Treasurer." We cannot accept cash payments. Write the Notice number on your check or money order.
- reduction. DOEE will determine whether you have submitted sufficient relevant evidence to support a fine reduction or suspension. Return this Notice, along deciding whether the fine should be reduced or suspended, write the letters "AWE" in the Write ANSWER Here column and complete the RESPONDENT'S with your written explanation and any supporting documents, photographs, or other materials, to the address below. Write the Notice number on the front of DECLARATION. Submit any written explanation or other evidence explaining the circumstances surrounding the violation that you believe justify a fine To Admit with Explanation. If you wish to admit liability for a violation, but want to submit an explanation that you would like DOEE to consider in any document you submit. ri
- RESPONDENT'S DECLARATION. At your option, submit a written explanation of the basis for your denial and any evidence supporting the explanation. Return this Notice, along with any optional written explanation, to the address below. Write the Notice number on the front of any document you submit. To Deny the Violation(s). If you wish to deny liability for a violation, write the word "DENY" in the Write ANSWER Here column and complete the **ښ**

DOEE will attempt to resolve with you any violation that you mark as "AWE" or "DENY," when an explanation is provided. If the violation Office of Administrative Hearings, IMPORTANT: Keep a copy of everything that you send to the Department of Energy and Environment. cannot be satisfactorily resolved, you will receive a Notice of Infraction directing you to file your response with the District of Columbia

# SEND THIS COMPLETED AND SIGNED NOTICE AND YOUR CHECK OR MONEY ORDER, PAYABLE TO "D.C. TREASURER," TO:

Department of Energy and Environment
Office of Enforcement and Environmental Justice
1200 First Street, NE, 5th Floor
Washington, DC 20002

Completed and signed Notices, but not payments, may also be sent via fax to 202-535-2881 or e-mail (in PDF format) to DOEE. Enforcement@dc.gov.

### DISTRICT OF COLUMBIA DEPARTMENT OF ENERGY AND ENVIRONMENT Petitioner,

v.

76 M INCORPORATED Respondent

Case No: DOEE-19-L500791

### PETITIONER'S DOCUMENT AND WITNESS LIST

Petitioner may offer any or all of the following documents at a hearing on this matter:

NUMBER	NUMBER DESCRIPTION	
100	ADMINISTRATIVE ORDER	04-26-2019
101	INVOICE FOR REIMBURSEMENT OF COMPLAINT	04-26-2019
	INVESTIGATION COSTS	
102	CERTIFICATE OF SERVICE	04-29-2019
103	OFFICEE OF TAX & REVENUE	10-08-2019
104	DCRA BUSINESS ENTITY	10-08-2019

In addition, Petitioner may call any or all of the following witnesses:

NAME	TITLE	CONTACT INFORMATION
Mouhaman Kola	Environmental Protection Specialist	1200 First Street, NE 5 <sup>th</sup> Floor Washington, DC 20002 202-578-5858

Respectfully submitted,

Mouhaman Kola

**Printed Name** 

Signature

Badge Number

10/19/2019 Date

DOEE76M 0037

### GOVERNMENT OF THE DISTRICT OF COLUMBIA

### Department of Energy and Environment

Lead-Safe and Healthy Housing Division



04-26-2019

### ADMINISTRATIVE ORDER AO No. DOEE-19-L-50001775

Issued To:	
Name & Mailing Address	Name & Mailing Address
76 M INC	
3104 Bruce Place SE, Apartment 102	( )
Washington, DC 20020-2951	
Telephone:	
-	Telephone:
Business License/Permit Type:	Business License/Permit No:

The Department of Energy and Environment is issuing this Order pursuant to D.C. Code § 8-231.03(c) and 20 DCMR § 3320. The interior and exterior of dwelling units and child-occupied facilities are presumed to contain lead-based paint if constructed prior to 1978, and any paint that is deteriorated, chipping, peeling, or otherwise not intact is considered to be a lead-based paint hazard and is prohibited (20 DCMR § 3301.1).

**Department Facts/Findings**: Lead-based paint hazards were identified at the property during a complaint investigation on April 18, 2019.

ROOM	COMPONENT	
<ul> <li>OUTSIDE</li> </ul>	DOOR (B)	
<ul> <li>OUTSIDE</li> </ul>	DOOR LINTEL (B)	
<ul> <li>OUTSIDE</li> </ul>	DOOR JAMB (B)	

76 M INC is hereby ORDERED to complete the following actions at 6149 Kansas Avenue NE:

Authority	Required Action(s)	Complete by Date
20 DCMR § 3318.6	Following the requirements of 20 DCMR § 3318.6, USE INTERIM CONTROLS to repair any deteriorating paint identified as a lead-based paint hazard in this Order, and re-paint the surface, making sure that the paint is now in intact condition. You must also repair any underlying condition contributing to paint failure and must eliminate any dust and/or soil hazards. All work MUST BE PERFORMED BY	5/26/2019

### Administrative Order AO No. DOEE-19-L-50001775

Authority	Required Action(s)	Complete by Date
	SOMEONE TRAINED IN LEAD- SAFE WORK PRACTICES pursuant to 20 DCMR § 3302.	
20 DCMR §§ 3315.4, 3315.5, and 3315.8.	OBTAIN A CLEARANCE REPORT that meets the requirements of 20 DCMR § 3318.7 from a DC-certified lead risk assessor, who must verify that all lead-based paint hazards identified were eliminated, along with any identified underlying conditions contributing to paint failure, and who must also specifically confirm that no lead-contaminated dust remains in any work area. If the risk assessor is working on behalf of a firm or business entity must also be certified in accordance with 20 DCMR § 3311. Submit the clearance report to DOEE at lead.clearance@dc.gov within 7 business days of its issuance.	
20 DCMR §§ 3315.4(a) and 3315.8.	Have an additional clearance examination conducted thirty-six (36) months, after completion of the interim control activities, and submit the clearance report to DOEE within 7 days of issuance.	See the required action(s) for the complete by timeframes.

Ш	If	chec	ked,	see	attac	hmeni	t
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<u>Important</u>: Failure of any order recipient to comply with this Order may result in an enforcement action, including but not limited to permit or certification revocation and a fine of up to \$25,000 per day.

Issued by KOLA, MOUHAMAN, Lead	d-Safe and Healthy Housing Division.	
Signature:	Date/Time: 4/26/2019	
	A STATE OF THE STA	

To discuss this Order or to request an extension, contact the Lead-Safe and Healthy Housing Division at (202) 578-5858.



Language

Assistance

Si necesita ayuda en Español, por favor llame al (202) 442-9094 para proporcionarle un intérprete <u>de manera gratuita</u>. Néu quý vị cần giúp đỡ về tiếng Việt, xin gọi (202) 442-9094 để chúng tôi thu xếp có thông dịch viên đến giúp quý vị <u>miễn phí</u>.

Si vous avez besoin d'aide en Français appelez-le (202) 442-9094 et l'assistance d'un interprète vous sera <u>fournle</u> <u>gratuitement</u>.

마차 역대로 차 대표를 마심지게 이 (202) 442-9094 의원 마차의 우<u>기 및</u> 차 이 + 대의 역의 역의 기원이 필요하신 경우 (202) 442-9094 로 연락을 주시면 무료로 통역이 제공됩니다.

### Administrative Order AO No. DOEE-19-L-50001775

如果您需要用(中文)接受幫助,請電洽(202)442-9094,將免費向您提供口譯員服務。

You may request a 30-day extension of the deadline(s) in this Order, but it will be granted only if submitted prior to the deadline(s) and if you demonstrate that you are proceeding in good faith. A request for an extension must be submitted in writing to DOEE's Lead-Safe and Healthy Housing Division at 1200 First Street, NE, 5<sup>th</sup> Floor, Washington, D.C. 20002 or by e-mail to lead.extension@dc.gov. Please address the extension request to the person who issued this Order.

You have the right to appeal this Order by requesting a hearing at the District of Columbia Office of Administrative Hearings. You may file your case using an online form at oah.dc.gov or by mailing or delivering a written request for a hearing to the Office of Administrative Hearings • Attn: Court Clerk • 441 Fourth Street NE, Suite 450N • Washington, DC 20001 • Tel. (202) 442-9094. You have a right to a lawyer at your own expense.

You must request a hearing within 15 days of the date of this Order (20 days if you received the Order by mail) or the Order will become final.

### GOVERNMENT OF THE DISTRICT OF COLUMBIA Department of Energy and Environment

Lead-Safe and Healthy Housing Division Lead Compliance & Enforcement Branch

April 26, 2019

To:

76 M INC 3104 Bruce Place SE Apartment 102 Washington, DC 20020-2951

### Invoice for Reimbursement of Complaint Investigation Costs

A Department of Energy and Environment (DOEE) risk assessor conducted a risk assessment for lead-based paint hazards at the property located at 6149 Kansas Avenue NE WashIngton, DC 20011, on April 18, 2019. As a result of this risk assessment, lead-based paint hazards were identified, and an Administrative Order to Eliminate Lead-Based Paint Hazards was issued to the property owner on April 26, 2019.

Pursuant to 20 DCMR §3320.3(d), property owners are required by law to reimburse the District for costs associated with the lead-based paint hazard evaluation that resulted in the identification of lead-based paint hazards. The costs associated with this risk assessment total \$500.

Accordingly, please send a check or money order payable to "DC Treasurer" in the amount of \$500 to this office, at the address below, within 30 days of the issue date of this invoice. Include on the check or money order the property address where the DOEE risk assessment occurred.

Notice: If you do not pay this invoice within the indicated timeframe, additional fines, fees, or penalties may be imposed.

Payments are to be mailed to the following address:

Department of Energy and Environment 1200 First Street, NE / 5<sup>th</sup> Floor Washington, DC 20002 Attn: Lead-Safe and Healthy Housing Division

### Itemized Expenses for Risk Assessment Reimbursement

Risk Assessment	175
XRF Usage	75
Travel	25
Lab Samples	175
Report	50
Total Costs to be Reimbursed	500

Call 202-535-1934 with any questions.

Amber A. Sturdivant

Branch Chief, Lead Compliance and Enforcement Branch



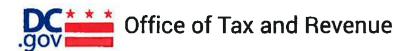


### **CERTIFICATE OF SERVICE**

Property Address 6149 Kansas Ave., NE #1 WDC 20011

The undersigned declares that he or she is over 18 years of age and has served or caused to be served a true copy of this Administrative Order on: April 29, 2019

Respondent 1	Respondent 1's Agent	Respondent 2	Respondent 2's Agent
Respondent's address			
76 M INC			
3104 Bruce Place, SE #102			
Washington, DC 20020-2951	- F		
ADDRESSEE	ADDRESSEE	ADDRESSEE	ADDRESSEE
Person served is the:	Person served is the:	Person served is the:	Person served is the:
⊠ Respondent	Registered Agent	Respondent	Registered Agent
	Respondent's Counsel		Respondent's Counsel
ATTACHMENTS	Other-	<u>ATTACHMENTS</u>	Other-
(circle/check box)	—	(circle/check box)	[
Order, Notice Report	ATTACHMENTS	Order, Notice, Report,	<u>ATTACHMENTS</u>
DACD Single Family	(circle/check box)	DHCD Single Family	(circle/check box)
Rehab Contractor lists	Order, Notice, Report,	Rehab, Contractor lists	Order, Notice, Report,
Letter	DHCD Single Family	Letter	DHCD Single Family
<u></u>	Rehab, Contractor lists		Rehab, Contractor lists
SERVICE METHOD	Letter	SERVICE METHOD	Letter
U.S. Mail First-Class		U.S. Mail First-Class	
Postage Prepaid	SERVICE METHOD	Postage Prepaid	SERVICE METHOD
Certified Mail, RRR	U.S. Mail First-Class	Certified Mail, RRR	U.S. Mail First-Class
Conspicuous Posting	Postage Prepaid	Conspicuous Posting	Postage Prepaid
on the Premise	Certified Mail, RRR	on the Premises	Certified Mail, RRR
Other-	Conspicuous Posting on	Other -	Conspicuous Posting
	the Premises		on the Premises
ADDRESS SOURCE	Other-	ADDRESS SOURCE	Other -
Recorder of Deeds		Recorder of Deeds	ADDRESS SOURCE
DCRA records	ADDRESS SOURCE	DCRA records	ADDRESS SOURCE Recorder of Deeds
DOEE records	Recorder of Deeds	DOEE Records	l <del></del>
Other-Tax & Revenue	DCRA records	Other -	DCRA records
	DOEE records		DOEE records
I certify, under penalty	Other-		Other-
of perjury that:			
I am unable to determine			
whether the respondent is			
in the military service of			
the United States			
Printed Name	Signature		Date of Service
SERVER NAME		10.10	Mail 2000
Karen Gordon	Pour.	Dadm	V45W 29 299
ZZEI ON GOI WON	/		





### Property Detail

**Address:** 6149 KANSAS AVE NE

SSL:

3720W 0038

Record Details

Neighborhood:

**TAKOMA** 

Sub-Neighborhood:

Use Code:

23 - Residential Flats-

Class 3 Exception:

No

Less than 5

001 - Residential

Tax Type:

TX - Taxable

Tax Class:

**Homestead Status:** 

\*\* Not receiving the Homestead Deduction REGINALD JACKSON

**Gross Building Area:** 

Ward:

Land Area:

Assessor:

4.424

**Triennial Group:** 

3

Owner and Sales Information

Owner Name(s):

Care Of:

Mailing Address:

3104 BRUCE PL SE APT 102, WASHINGTON DC 20020-2951

Sale Price:

\$276,000

**76 M INC** 

Recordation Date:

06/18/2012

Instrument No.:

65513

Sales Code:

M1 MULTI-VERIFIED SALE

Sales Type:

I - IMPROVED

Tax Year 2020 Preliminary Assessment Roll

	Current Value (2019)	Proposed New Value (2020)
Land:	\$336,930	\$361,180
Improvements:	\$168,700	\$183,000
Total Value:	\$505,630	<b>\$</b> 544,180
Taxable Assessment: *	\$505.630	\$544.180

<sup>\*</sup> Taxable Assessment after Tax Assessment Credit and after \$74,850 Homestead Credit, if applicable, (Click here for more information).

If the real property does not appear on the map below, please either search the map manually or email questions or feedback to maps.title@dc.gov. If emailing, please provide the Square Suffix Lot and property address (if applicable).



View Tax Information | View Property Features | View Payments | View Current Tax Bill

<sup>\*\*</sup> If you believe you should be receiving tax relief through the Homestead deduction program and if you are domiciled in the District and this property is your principal place of residence, you can access the link below, complete the form, and return it per the instructions. For additional information regarding the Homestead program, call (202)727-4TAX. Click here to download the Homestead Deduction and Senior Citizen Tax Relief application \*

311 Online Agency Directory Online Services Accessibility



### **Department of Consumer and Regulatory Affairs**

Home Egit Account | Log Out

### 76 M INC. - Initial File Number: 962641

Entity Info			
Business Name	76 M		
Suffix	INC.		
Registration / Effective Date			
Commencement Date	8/14/1996		
Entity Status	Active		
Foreign Name	NA		
Date of Organization	8/14/1996		
State	District of Columbia		
Country	USA		
Business Address			
Line1 3104 BRUCE PL	ine1 3104 BRUCE PL S.E		
Line2 #201			
City WASHINGTON DC	State District of Columbia Zip 20020		
Agent			
Is non-commercial Registe	red Agent? Yes		
Name	PETER ODAGBODO		
Address			
Line1 3104 BRUCE PL	Line1 3104 BRUCE PLACE S.E. #102		
Line2 #201			
City Washington Str	ate District of Columbia Zip 20020		
Email Poda	egbodo@eol.com		

Return to Home

### CERTIFICATE OF SERVICE

Case Number DOEE-19-L500791

The undersigned declares that he or she is over 18 years of age and has served or caused to be served a true copy of this Enforcement Notice on:

Respondent 1	Respondent 1's Agent	Respondent 2	Respondent 2's Agent			
76 M Incorporated	Peter Odagbodo					
3104 Bruce Place SE # 201	3104 Bruce Place SE #201					
Washington, DC 20020-2951	Washington, DC 20020					
ADDRESSEE	ADDRESSEE	ADDRESSEE	ADDRESSEE			
Person served is the:	Person served is the:	Person served is the:	Person served is the:			
⊠ Respondent	Registered Agent	Respondent	Registered Agent			
•	Respondent's Counsel		Respondent's Counsel			
	Other-		Other-			
ATTACHMENTS	<u>ATTACHMENTS</u>	<b>ATTACHMENTS</b>	<b>ATTACHMENTS</b>			
□ Lists and Exhibits	☐ Lists and Exhibits	Lists and Exhibits	Lists and Exhibits			
Other-	Other-	Other-	Other-			
SERVICE METHOD	SERVICE METHOD	SERVICE METHOD	SERVICE METHOD			
U.S. Mail First-Class	U.S. Mail First-Class	U.S. Mail First-Class	U.S. Mail First-Class			
Postage Prepaid	Postage Prepaid	Postage Prepaid	Postage Prepaid			
Certified Mail, RRR	Certified Mail, RRR	Certified Mail, RRR	Certified Mail, RRR			
Conspicuous Posting	Conspicuous Posting	Conspicuous Posting	Conspicuous Posting			
on the Premise	on the Premises	on the Premises	on the Premises			
Other-	Other-	Other -	Other -			
	ADDDESS SOUDCE	ADDRESS SOURCE	ADDRESS SOURCE			
ADDRESS SOURCE	ADDRESS SOURCE Recorder of Deeds	Recorder of Deeds	Recorder of Deeds			
Recorder of Deeds	DCRA records	DCRA records	DCRA records			
DCRA records	DOEE records	DOEE Records	DOEE records			
DOEE records	Other-	Other -	Other-			
Other-	□ Oulei-	C Guici -	Oliter-			
Office of Tax and						
Revenue						
I certify, under penalty						
of perjury that:						
I am unable to determine						
whether the respondent is						
in the military service of						
the United States						
Printed Name	Signature		Date of Service			
Diane Johnson	Diane 3 phrson		talialis.			
	Wave Of	UUIN	10/17/19			
U						