

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
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MEMORANDUM

TO: ANC 1D
FR: Denise Wiktor, General Counsel
DT: 3/12/2026
RE: Grant request for The Living Room

The Office of Advisory Neighborhood Commissions (“OANC”) has received a copy of a grant request from the Femme Fatale regarding a grant for The Living Room, an art hub in Mt Pleasant. The applicant states

The applicant is requesting a grant amount of \$5,000 for furnishing and signs. It could be described as start-up costs.

First, let me note I am familiar with Femme Fatale using it as a spot to purchase gifts and I reside very near the location I understand this will go and have a favorable impression of both. I have reviewed the application sent to OANC and have found that the request is an **impermissible** expenditure of ANC monies primarily on the public benefit and project analyses. ANC grants are not like other grants that can be used for office expenses or furnishings (except for the limited exception of allowable overhead on a project). Unfortunately, grants from the DC Commissioner on Arts and Humanities for capital projects closed December 17, 2025. Funds were also released in June of 2025 and it is unclear when in 2026 additional funds will be released. <https://dcarts.dc.gov/grants/capital-projects> The Commission also offers grants for General Operating Support again it is unclear when it will reopen see <https://dcarts.dc.gov/page/grant-programs> This is such a small amount of money it is possible that the Mayor’s Constituent Services Fund or Councilmember Constituent Service funds may assist- through the five at large members as the Ward 1 Councilmember does not have a fund.

Analysis

There are five prongs a grant must meet to be a permissible expense¹, and there is also a sixth requirement of the D.C. Official Code that limits the amount of a grant that can be spent on overhead². These are, respectively:

1. **Public Purpose:** ANC grants must be for “public purposes within the Commission area.”³ A public purpose is one “that includes a significant benefit for the community and is not done for the primary purpose of benefitting a private entity.”⁴ All the expenses as described primarily benefit the Applicant, not the public in that they are physical things that will be owned by the Applicant—although the public will use the items, which they may, at times, be charged a fee for. It is noted the Applicant emphasized affordability.
2. **Local Benefit:** A grant must “benefit persons who work or reside in the Commission area.”⁵ This does not mean the grant may only benefit Commission residents; it simply means the grant’s benefits should be focused on those residents.⁶
3. **Proposed Project:** A grant must be for a proposed project.⁷ Technically this is a project in the it is in the future with a defined be
4. **Organization:** A grant must be to an “organization,” not an individual or a government entity,⁸ although the organization need not be incorporated⁹. is an organization as defined by the Code for ANC grants. Femme Fatale is an organization as
5. **Non-Duplication:** A grant cannot duplicate any services offered by the District of Columbia government.¹⁰ The grant itself, it made, may be duplicative of grants offered by the D.C. Government as noted above

¹ See *Letter to Schanette Grant on Seasoned Settlers and Grants Generally*, April 14, 2022, found at <https://oag.dc.gov/sites/default/files/2022-04/Letter-to-OANC-Re-Seasoned-Settlers-Grant-and-Grants-Generally-.pdf>.

² D.C. Official Code 1-309.13(m)(2)(D) provides that “[n]o Commission shall provide a grant for which the grantee estimates that the overhead costs would exceed 15% of the entire grant amount.”

³ D.C. Official Code § 1-309.13(1)(1).

⁴ *Id.*

⁵ D.C. Official Code § 1-309.13(m)(1).

⁶ See *Letter to Deborah K. Nichols*, Nov. 9, 2006, at 2, n.2, found at [Letter-to-Deborah-Nichols-Re-Whether-an-ANC-may-approve-a-grant-to-commission-plans-and-drawings-.pdf](https://oag.dc.gov/sites/default/files/2022-03/ANC-7E-Letter-to-Commissioner-Fletcher-RePublic-Purposes-Within-the-Commission-Area-.pdf) (ANC 4C grant was permissible where the “[b]enefit to other ANCs would be incidental to the benefit conferred on ANC 4C residents,” because a grant’s benefits need not “be exclusive to the ANC that gives the grant funds”); see *Letter to Comm’r Fletcher*, Mar. 15, 2022, at 2, available at <https://oag.dc.gov/sites/default/files/2022-03/ANC-7E-Letter-to-Commissioner-Fletcher-RePublic-Purposes-Within-the-Commission-Area-.pdf> (making the same point with respect to the public-purpose requirement).

⁷ D.C. Official Code § 1-309.13(m)(2)(A).

⁸ D.C. Official Code § 1-309.13(m)(1); see also *Letter to Deborah K. Nichols*, Jan. 14, 2010, at 4, available at <https://oag.dc.gov/sites/default/files/2018-02/ANC-January-14-2010-Guidelines-for-Use-of-ANC-Funds.pdf>.

⁹ See *Letter to Deborah K. Nichols*, Aug. 4, 2000, at 3, available at <https://oag.dc.gov/sites/default/files/201802/ANC-August-4-2000-Grants-by-ANCs-Public-Purpose-and-Corporate-Status-of-Recipients.pdf> (“The plain meaning of the term ‘organization’ includes unincorporated associations”).

¹⁰ D.C. Official Code § 1-309.13(m)(1).

6. **Overhead:** Overhead cannot exceed 15% of the grant amount.¹¹

7.

Conclusion

For the reasons stated above, this grant is an **impermissible** expenditure of ANC funds.

¹¹ D.C. Official Code § 1-309.13(m)(1)(2)(D).