

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
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MEMORANDUM

TO: ANC 8B
FR: Denise Wiktor, General Counsel
DT: 8/26/2025
RE: FAN DC Grant Application

The OANC has received a copy of a grant request from Fihankra Akoma Ntoaso (FAN-DC) to start a youth podcast "Youth Voices of Ward 8. I have reviewed the application and budget sent to the OANC and have found that the request is an **impermissible** expenditure of ANC monies as outlined below. Please note for a grant to be permissible the purpose of the grant as well as the individual expenditures must be permissible. Additionally, once a grant has been voted on by the ANC *the purpose of the grant cannot be changed without an additional vote by the ANC.*

There are five prongs a grant must meet to be a permissible expense¹ and a 6th requirement of the D.C. Official Code that limits the amount of a grant that can be spent on overhead². They are:

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 This grant will serve 3-5 youth participants. ANC 8B had 13,790 residents when the boundaries were drawn in 2023.⁵ This is simply too few residents to be considered a significant benefit and it is unclear if the participants would come from 8B. However, if in the future, the program wanted to do an 8B based project say a history or cultural project that the greater

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) "No 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(l)(1).

⁴ *Id.*

⁵ See, *Office of Planning Table 1-2023 Advisory Neighborhood Commissions(ANCs) by 2020 Census Data*, found at https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fplanning.dc.gov%2Fsites%2Fdefault%2Ffiles%2Fdc%2Fsites%2Fop%2Fpage_content%2Fattachments%2F2023%2520Advisory%2520Neighborhood%2520Commissions%2520by%25202020%2520Census%2520Population.xlsx&wdOrigin=BROWSELINK

body of ANC residents would benefit from, that could be a possibility. An additional issue with this grant is that some of the monies would be used for buying durable goods that would become the property of the applicant. The OAG has recognized that this, in and of itself, does not disqualify the expenditure if the goods are used for a benefit to the community at large.⁶ In this case the equipment, while perhaps serving a series of small groups, would be insular to the organization.

2. **Local Benefit:** A grant must “benefit persons who work or reside in the Commission area.”⁷ This does not mean the grant may only benefit Commission residents; it simply means the grant’s benefits should be focused on those residents.⁸ The benefit to ANC 8B is unclear but no further inquiry was made due the failure of the public purpose test.
3. **Proposed Project.** A grant must be for a proposed project.⁹ This is a discrete single event.
4. **Organization.** A grant must be to an “organization,” not an individual or a government entity,¹⁰ although the organization need not be incorporated.¹¹ FAN-DC is an organization within the meaning of the code.
5. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.¹²
6. **Overhead.** Overhead cannot exceed 15% of the grant amount.¹³ None of the grant monies will be used for overhead as the Code defines it.

Conclusion

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

⁶ See, *Letter to Commissioner Speck*, July 20, 2021 found at <https://oag.dc.gov/sites/default/files/2022-03/ANC-3G03-Letter-to-Commissioner-Speck-Re-Grant-to-Feed-the-Family-Pantry-.pdf>

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

⁸ 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/2018-02/ANC-4C-Letter-to-Deborah-Nichols-Re-Whether-an-ANC-may-approve-a-grant-to-commission-plans-and-drawings-.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).

⁹ D.C. Official Code § 1-309.13(m)(2)(A).

¹⁰ 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>

¹¹ 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”).

¹² D.C. Official Code § 1-309.13(m)(1).

¹³ D.C. Official Code § 1-309.13(m)(1)(2)(D).