

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
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MEMORANDUM

TO: ANC 3F
FR: Denise Wiktor, General Counsel
DT: 7/9/2025
RE: District Fringe Festival

The OANC has received a copy of a grant request from Nu Sass Productions for the District Fringe Festival. I have reviewed the application and supplemental material sent to the OANC and have found that the request contains **permissible** expenditures of ANC monies as outlined below. The budget as filed requested both permissible and impermissible expenses. A list of permissible expenses is at the end of this memo which exceeds the grant request. I have included so that the Applicant and ANC know what receipts will be needed.

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 Initially the OANC was concerned that the District Fringe has been known as an area wide festival for the DMV. The applicant sent a follow up email that this is the “new” Fringe Festival and there will sufficiently focus on the residents and businesses of ANC 3F that it will provide a significant benefit to ANC 3F.
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

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 D.C. Official Code § 1-309.13(m)(1).

means the grant's benefits should be focused on those residents.⁶ Again, based upon the communications with the applicant the OANC is satisfied that this event will have a sufficient focus on the businesses and residents of ANC 3F that a local benefit will occur.

3. **Proposed Project.** A grant must be for a proposed project.⁷ This is a discrete single event.
4. **Organization.** A grant must be to an "organization," not an individual or a government entity,⁸ although the organization need not be incorporated.⁹ Nu Sass Productions is an organization within the meaning of the code. The OANC verified the 501(c)(3) status and that it is in good standing with a TEOS on the IRS website.
5. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.¹⁰ Sadly, DC does not provide this type of event.
6. **Overhead.** Overhead cannot exceed 15% of the grant amount.¹¹ None of the grant monies will be used for overhead as the Code defines it. There is one item that could be used, the insurance, and the limit would be \$1,500.00. There are other non-overhead items that meet the threshold of the grant request that this would not be necessary.

Conclusion

For the reasons stated above this grant is a **permissible** expenditure of ANC funds.

Permissible Expenses

Venue rental \$5,544.00

Advertising (encouraging people to attend our festival in ANC 3F) \$3,000.00

Printing (signage drawing awareness to the festival in ANC 3F) \$5,000.00

Postage and Delivery (fees for delivery of physical collateral) \$500.00

Digital Content (digital advertising on social media and media advertising encouraging the community to attend the festival in ANC 3F): \$1,200.00

Utilities \$300 (if there can be a specific receipt or if added to venue rental and on that receipt)

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](#) (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).

⁷D.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).

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

The liability insurance for this event only is permissible so long as it does not exceed 15% of the grant or \$1500.00 but is not necessary as the above expenses are more than the grant request.

Costs for purchase of equipment or year-long licenses are not permissible as they inure to the organization. ABCA fees are not permissible.