

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
1350 Pennsylvania Avenue, NW
Suite 11
Washington, DC 20004
(202) 727-9945

MEMORANDUM

TO: ANC 3A
FR: Denise Wiktor, General Counsel
DT: 10/17/2025
RE: Friends of Hearst Park Grant Application

The Office of Advisory Neighborhood Commissions (“OANC”) has received a copy of a grant request from the Friends of Hearst Park regarding a grant for vertical mulching of heritage oak trees within the park. The applicant states this is a necessary project to stress the trees are under from water drainage issues.

The applicant is requesting a grant amount of \$5,000.

I have reviewed the application sent to OANC and have found that the request is a **permissible** expenditure of ANC monies, as outlined below.

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.*

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

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(l)(1).

and is not done for the primary purpose of benefitting a private entity.”⁴ These are heritage (very large) oak trees in a well-used public park that is within ANC 3A.

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 The Park is located within 3A in SMD 3A03. While the park may get some traffic from a neighboring ANC the primary beneficiaries of the park and its trees are the residents of 3A
3. **Proposed Project:** A grant must be for a proposed project.⁷ This is a discrete single event, with a proposed beginning date and end date.
4. **Organization:** A grant must be to an “organization,” not an individual or a government entity,⁸ although the organization need not be incorporated⁹. The Friends of Hearst Park is an organization as defined by the Code for ANC grants. It is also a 501(c)(3) organization in good standing with the IRS as shown in the IRS TEOS system.
5. **Non-Duplication:** A grant cannot duplicate any services offered by the District of Columbia government.¹⁰ This grant is not duplicative of any service or program provided by the District government. While arguable this is something the DC government should do for its trees, it is not something it does or has budgeted for.
6. **Overhead:** Overhead cannot exceed 15% of the grant amount.¹¹ None of the grant monies would be used here for overhead costs.

Conclusion

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

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](#) (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).

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