

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 1A  
FR: Denise Wiktor, General Counsel  
DT: 4/21/2025  
RE: Green Label Mural Grant Application

The OANC has received a copy of a grant request from District Bridges for \$500 for supplies for a mural on the Green Label building. I have reviewed the application sent to the OANC and have found that the request is an **impermissible** expenditure of ANC monies as outlined below. While the mural will be on a privately owned wall it will substantially benefit the ANC

There are five prongs a grant must meet to be a permissible expense<sup>1</sup> and a 6<sup>th</sup> requirement of the D.C. Official Code that limits the amount of a grant that can be spent on overhead<sup>2</sup>. They are:

1. **Public Purpose:** ANC grants must be for “public purposes within the Commission area.”<sup>3</sup> 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.”<sup>4</sup> The overriding public purpose for the grant is graffiti reduction and neighborhood.com which will significantly benefit the community.
2. **Local Benefit:** A grant must “benefit persons who work or reside in the Commission area.”<sup>5</sup> This does not mean the grant may only benefit Commission residents; it simply means the grant’s benefits should be focused on those residents.<sup>6</sup> While there is some benefit to the property owner, there is a substantial benefit to the residents of the ANC.

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<sup>1</sup> 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>

<sup>2</sup> 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.”

<sup>3</sup> D.C. Official Code § 1-309.13(l)(1).

<sup>4</sup> *Id.*

<sup>5</sup> D.C. Official Code § 1-309.13(m)(1).

<sup>6</sup> 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).

3. **Proposed Project.** A grant must be for a proposed project.<sup>7</sup> This is a discrete single event.
4. **Organization.** A grant must be to an “organization,” not an individual or a government entity,<sup>8</sup> although the organization need not be incorporated.<sup>9</sup> District Bridges **is not** an organization within the meaning of the code.
5. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.<sup>10</sup> This project is primarily funded by District grants. The addition of ANC monies duplicates what the District is doing.
6. **Overhead.** Overhead cannot exceed 15% of the grant amount.<sup>11</sup> None of the grant monies will be used for overhead as the Code defines it.

## Conclusion

For the reasons stated above this grant is a **impermissible** expenditure of ANC funds because it is a duplication of DC government services.

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<sup>7</sup>D.C. Official Code § 1-309.13(m)(2)(A).

<sup>8</sup> 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>

<sup>9</sup> 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”).

<sup>10</sup> D.C. Official Code § 1-309.13(m)(1).

<sup>11</sup> D.C. Official Code §1-309.13(m)(1)(2)(D).