

Government of the District of Columbia



Office of Advisory Neighborhood Commissions  
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**MEMORANDUM**

TO: ANC 4B  
FR: Denise Wiktor, General Counsel  
DT: 10/09/2025  
RE: Takoma Elementary Spring (2026) Carnival Grant Application

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The Office of Advisory Neighborhood Commissions (“OANC”) has received a copy of a grant request from the Takoma Elementary PTO with the DC Youth Orchestra Project (DCYOP) regarding a grant for their Spring Carnival. The applicant states in the application and follow up email that the ANC grant is for a Pirate Ship Activity Center, and Obstacle course, face painters, a balloon sculptor, a trackless train and a generator with safety attendants. All of these will be free and open to the public. The fair itself will be free and open to the greater ANC 4B community. It is assumed that the safety attendants are related to one of the rides and will be paid as part of a company. ANC funds cannot be paid to individuals and should be paid to companies. If these are individuals (including the fact painters and balloon sculptor), the OANC would suggest shifting this cost to another permissible category at the event.

The applicant is requesting a grant amount of \$4,000.00.

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

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 expense<sup>1</sup>, 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

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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>.

overhead<sup>2</sup>. These are, respectively:

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> This is a community fair set in ANC 4B that is free and open to the neighborhood.
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> It is expected that most of the attendees will be from ANC 4B though there will be people attending from the wider school community.
3. **Proposed Project:** A grant must be for a proposed project.<sup>7</sup> 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,<sup>8</sup> although the organization need not be incorporated<sup>9</sup>. The Takoma Elementary PTO is an organization as defined by the Code for ANC grants. It is also a 501(c)(3) in good standing as verified through the IRS TEOS system.
5. **Non-Duplication:** A grant cannot duplicate any services offered by the District of Columbia government.<sup>10</sup> This grant is not duplicative of any service or program provided by the District government.
6. **Overhead:** Overhead cannot exceed 15% of the grant amount.<sup>11</sup> None of the grant monies would be used here for overhead costs.

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<sup>2</sup> 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.”

<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).

<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).

## **Conclusion**

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