

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
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MEMORANDUM

TO: ANC 5A
FR: Denise Wiktor, General Counsel
DT: 05/05/2025
RE: Queens Chapel Civic Association Beautification Day Grant

The OANC has received a copy of a grant request from the Queens Chapel Civic Association which encompasses two different events, a Beautification Day and a Community Day. This memo addresses the Beautification Day request for \$2300.00 for materials related to planting in the Community. I have reviewed the application, the amendment and the budget sent to the OANC and have found that the request is a **permissible** expenditure of ANC monies as outlined below. This is contingent that the plantings and beautification occur on public property. All of the named locations appear to be public in ANC 5A or at the ANC 5A border. Please be aware that the applicant reduced the request by \$958.24 from the original application to remove mulch intended for private property.

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 Beautification projects such as these have long met the criteria as meeting the public purpose. This is something that all residents and businesses in ANC 5A and visitors to 5A will benefit from.
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 The beautification is within the borders of 5A or on its border.

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 The Queens Chapel Civic Association is an organization within the meaning of the code.
5. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.¹⁰ The District government does not perform this service.
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.

Conclusion

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

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).