

2205 CERTIFICATES OF OCCUPANCY FOR INCLUSIONARY UNITS

- 2205.1 An Inclusionary Development Owner shall apply for and obtain a Certificate of Occupancy for each property that contains Inclusionary Units that identifies and includes each Inclusionary Unit in the Inclusionary Development. For an Inclusionary Development where no Certificate of Occupancy is required, the submission requirements of this § 2205 must be satisfied prior to the DCRA inspection of the As-Built Foundation Survey (“Wall Check”) required by 12-A DCMR § 109.3.1.2.
- 2205.2 Prior to the issuance of a Certificate of Occupancy for an Inclusionary Development, or DCRA acceptance of a Wall Check, an Inclusionary Development Owner shall provide to DCRA a copy of the recorded Inclusionary Development Covenant along with an update of all information provided in its application for a Certificate of Inclusionary Zoning Compliance, if there has been any substantive change to such information since the filing of the application. DCRA shall review the updated information pursuant to the procedures set forth in § 2203.
- 2205.3 After the submission of the application for a Certificate of Occupancy or request for a final building inspection for an Inclusionary Development where no Certificate of Occupancy is required, DCRA shall inspect the Inclusionary Development for compliance with the Certificate of Inclusionary Zoning Compliance.
- 2205.4 DCRA shall make good faith efforts to complete its Inclusionary Zoning compliance inspection within fifteen (15) business days after receipt of the Certificate of Occupancy application or request for final building inspection for an Inclusionary Development where no Certificate of Occupancy is required.
- 2205.5 No Certificate of Occupancy for an Inclusionary Development shall be issued, or Wall Check accepted or final building inspection approved for an Inclusionary Development where no Certificate of Occupancy is required, as necessary, unless DCRA determines that the Inclusionary Development Covenant is recorded with the District of Columbia Recorder of Deeds and the Inclusionary Development is in compliance with the Certificate of Inclusionary Zoning Compliance.

SOURCE: Notice of Final Rulemaking published at 56 DCR 3907 (May 15, 2009); as amended by Final Rulemaking published at 56 DCR 9295, 9296 (December 11, 2009); as amended by Final Rulemaking published at 64 DCR 13582 (December 29, 2017).