



February 17, 2023

The Honorable Brianne K. Nadeau  
Chairperson of Committee on Public Works and Operations  
Council of the District of Columbia  
1350 Pennsylvania Avenue NW  
Washington, DC 20004

Via Electronic Mail

Subject: DHCD Responses to Questions for the Performance Oversight Public Hearings on Fiscal Years  
2022/2023

Dear Chairperson Nadeau:

Please find The Department of Licensing and Consumer Protection's responses and attachments for the FY2022 and FY2023 Annual Performance Oversight Hearing scheduled on Wednesday, February 22, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Shirley Kwan-Hui", is positioned above the typed name.

Shirley Kwan-Hui  
Interim Director  
Department of Licensing and Consumer Protection

COMMITTEE ON PUBLIC WORKS & OPERATIONS  
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DEPARTMENT OF LICENSING AND CONSUMER PROTECTION  
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## **AGENCY ORGANIZATION**

- 1. Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision. Include the names and titles of all senior personnel and note the date that the information was collected on the chart.**

See Attachment Q1 – Organization Chart.

- 2. Please provide a narrative explanation of any changes made to the organizational chart during the previous year.**

The Department of Buildings Act of 2019 established The Department of Licensing and Consumer Protection (DLCP), which became a standalone agency on October 1, 2022. The agency has not made any changes to its organizational chart since that time.

- 3. Please provide a current Schedule A for the agency which identifies each position by program and activity, with the salary, fringe benefits, and length of time with the agency. Please note the date that the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please indicate if any position must be filled to comply with federal or local law.**

See Attachment Q3 – Schedule A.

- 4. Please provide a list of vacant positions during FY 22 and FY 23, to date. Please note whether the position is currently filled and length of time current vacancies have been open.**

See Attachment Q4 – Vacant Positions.

- 5. Please list all employees detailed to or from your agency. For each employee identified, please provide the name of the agency the employee is detailed to or from, the reason for the detail, the date of the detail, and the employee's projected date of return.**

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Name	Hiring Agency	Detailed To	Reason for Detail	Date of Detail	Projected Date of Return
Sharona Morgan	DLCP	Mayor’s Office of Talent and Appointments (MOTA)	Needed support to MOTA’s operations	10/01/2022	09/30/2023
Laverne Stewart	DLCP	Department of Buildings (DOB)	Needed support for Special Events Licenses/Permitting at DOB	10/01/2022	03/31/2023

6. **Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and the anticipated date of completion of each agreement in bargaining.**

The agency does not engage in its own collective bargaining agreement. Below is a list of collective bargaining agreements in effect.

Name of Union	Effective Date	Expiration Date
American Federation of State, County and Municipal Employees (AFSCME) 2473	Unspecified	September 30, 2010
American Federation of Government Employees (AFGE) 2725	February 24, 1989	September 30, 1990
AFGE 1403	January 16, 2018	September 30, 2023
Compensation Collective Bargaining Agreement (CBA) AFSCME 2743 and AFGE 2725	May 14, 2022	September 30, 2025

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7. **Please list any task forces, committees, advisory boards, or membership organizations in which the agency participates.**

<b>Membership Organizations</b>
Association of Appraiser Regulatory Officials
Association of Real Estate License Law Officials
Real Estate Educators Association
National Council for Architectural Registration Board
Council of Landscape Architecture Registration Board
Federation of Association of Regulatory Boards
International Association of Security and Investigative Regulators
National Interstate Council
National Association of Barbers Boards of America
National Association of State Contractors Licensing Agencies
Association of Boxing Commission
National Association of State Board Accountancy
National Council of Examiners for Engineering and Surveying
Council on Licensure, Enforcement and Regulation
District of Columbia Chamber of Commerce
<b>Working Group</b>
Consumer Protection Procedures Act Modernization Working Group
<b>Board Membership</b>
Washington DC Economic Partnership Board of Directors
<b>Task Force</b>
Nightlife Task Force

**AGENCY BUDGET AND SPENDING**

8. **Please provide a table showing your agency’s Council-approved budget, revised budget (after reprogrammings, etc.), and actual spending, by program, activity, and funding source for FY 22 and the first quarter of FY 23. Please detail any over- or under-spending and if the agency had any federal funds that lapsed.**

The Department of Buildings Act of 2019 established The Department of Licensing and Consumer Protection (DLCP), which became a standalone agency on October 1, 2022.

Please refer to Attachment Q8 – FY23 Budget for FY23 information.

9. **Please list all open capital projects and capital projects in the financial plan under the agency’s purview, including the amount budgeted, actual dollars spent so far, any remaining balances, and the status of the project. In addition, please provide a**

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**description of any projects which are experiencing delays or which require additional funding.**

See Attachment Q9 – Capital Projects.

**10. Please provide a list of all budget enhancement requests (including capital improvement needs) for FY 22 or FY 23. For each, include a description of the need and the amount of funding requested.**

DLCP works closely with the Mayor’s Budget Office and the Office of the Deputy Mayor for Operations and Infrastructure to develop the agency’s annual budget to ensure that critical programs and services were funded. As such, DLCP has sufficient funding to operate its agency programs and services. In FY23, the agency will continue to work with the Mayor’s budget team.

**11. Please list, in chronological order, each reprogramming that impacted the agency in FY 22 and FY 23, to date, including those that moved funds into the agency, out of the agency, and within the agency. For each reprogramming, list the date, amount, rationale, and reprogramming number.**

DLCP has not had any reprogrammings since its establishment on 10/1/2022.

**12. For FY 22 and FY 23, to date, please list all intra-District transfers to or from the agency.**

FY 2023 Intra-District Transfers to Other Agencies:

Date	Project No	Project Title	Seller Agency	Amount
N/A	400156	Merchant Service Fees (Credit Card Processing)	Office of Finance and Treasury (AT0)	400,000.00
N/A	400160	Solid Waste Disposal and Recycling	Department of Public Works (KT0)	9,000.00
N/A	400157	Suitability - Background Checks	DC Human Resources (BE0)	10,000.00
N/A	400159	Fleet Services	Department of Public Works (KT0)	32,327.13
N/A	400158	Radio Communications	Office of Unified Communications (UC0)	2,000.00
N/A	400155	Cashier Services	Office of Finance and Treasury (AT0)	180,000.00
N/A	400790	Purchase/Travel Card	Purchase Card Transactions (PX0)	110,000.00
N/A	401188	RTS Project - Non-DCNET (Telecommunications)	Office of Finance and Resources Management (AS0)	80,000.00
N/A	401187	RTS Project - DCNET (DC NET Sweep)	Office of the Chief Technology Officer (TO0)	60,000.00

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N/A	400154	Armored Car Service	Office of Finance and Treasury (AT0)	5,000.00
<b>Total: FY23 Intra-District Transfers to Other Agencies</b>				<b>883,327.13</b>

There is no intra-district transfer from another agency to date.

**13. Please list each grant or sub-grant received by your agency in FY 22 and FY 23, to date. List the date, amount, source, purpose of the grant or sub-grant received, and amount expended.**

DLCP does not have any grants or sub-grants in FY23 to date.

**14. How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans, if any, are in place to continue funding the FTEs?**

DLCP does not have any FTEs in FY23, to date, that are dependent upon grant funding.

**15. For FY 22 and FY 23, to date, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide:**

- a. The revenue source name and code;
- b. The source of funding;
- c. A description of the program that generates the funds;
- d. The amount of funds generated by each source or program;
- e. Expenditures of funds, including the purpose of each expenditure; and
- f. The current fund balance.

See Attachment Q15 – Special Purpose Revenue Funds.

**16. Please list any statutory mandates that the agency lacks sufficient resources to fully implement, or implementation that is contingent on filling current vacancies.**

None at this time.

## **AGENCY OPERATIONS**

**17. Please describe new statutory mandates of the agency as of FY2023 and their current implementation status.**

- The Flavored Tobacco Prohibition Amendment Act, which took effect on October 1, 2022, bans the sale, offering for sale, distribution, and purchase of all flavored tobacco

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products, including menthol cigarettes. The law also prohibits the sale of electronic smoking devices within a quarter mile radius of middle and high schools. Since the law became effective, DLCP has implemented the following activities:

- Created a strategy on compliance check, outreach and education, and both strategic proactive and complaint-based enforcement;
- Began public education and outreach to businesses and the public (on-going activities);
- Met with DC Health (DOH), local advocacy groups, and representatives from the tobacco industry;
- Conducted over 800 compliance checks of businesses licensed to sell tobacco in the District;
- Created the [DLCP E-Cigarette Enforcement Map](#), which is located on DLCP’s website, for the public which uses geolocation to show tobacco retailers within a quarter mile of a middle or high school ;
- Drafted and published the agency’s Administrative Issuance to clarify the escalating fine structure for violations of the law; and
- Trained staff on the new law and the issuance of Notices of Infraction.
- Developed a communications plan to share information about the law with the media.

**18. Please list all reporting requirements in the District of Columbia Code or Municipal Regulations that the agency is required to complete in FY 22 and FY 23, to date. For each requirement, please list the date the report was required and the date it was produced. If the agency did not produce the report on the mandated timeline, please explain why.**

- Annual Freedom of Information Act Report as required by 5 U.S.C. § 552
  - This report is filed every fiscal year.
- Financial Disclosure Statement filer list with BEGA pursuant to D.C. Code § 1-1162.24(i) and 3 DCMR § 5704.5.
  - This report is filed every fiscal year.

**19. Please list and describe any regulations promulgated by the agency in FY 22 or FY 23, to date, and the status of each.**

DLCP and its predecessor DCRA issued the following regulations in FY22 and FY23 pertaining to DLCP functions:

- 2/18/22, 6/17/22 “Security Officer Licenses” (Status: Expired) - Emergency rulemaking to allow the Department to issue provisional licenses for security officers. Each

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provisional license is to be valid for 90 days from the date of the issuance. This issuance was critical to add licensed security personnel on an expedited basis.

- 4/8/22, 8/12/22, 12/16/22 “Hotel and Motel Enhanced Cleaning and Maintenance” (Status: In effect) – Emergency and proposed rulemaking to establish requirements for cleaning and maintenance of District of Columbia hotel and motel rooms and standards for public notice of hotel and motel service disruptions. This rulemaking is intended to ensure adequate cleaning of hotel rooms for public health and safety, as well as ensuring that guests have advance notice of any service disruptions.
- 7/29/22 “Real Estate Appraisers Education Requirements” (Status: In effect) - Final rulemaking to amend education requirements for licensure of real estate appraisers in the District. This rulemaking updates the DC real estate appraiser professional license regulations to align with updates to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council (published in the Federal Register at 83 CFR 9144).

**20. Please explain any significant impacts on your agency of legislation passed at the federal or local level during FY 22 and FY 23, to date.**

The Department of Building Establishment Act of 2020 became effective on October 1, 2022. This Act established the new Department of Buildings and redesignated the Department of Consumer and Regulatory Affairs as the Department of Licensing and Consumer Protection.

The BEST Act passed and is subject to funding appropriation this year. This Act makes substantial changes to business licensing fees by creating a flat \$99 fee for all initial businesses, regardless of income, size, or type of business, and eliminates many of the established categories. If funded, the BEST Act will have a significant impact on the agency’s operations including multiple systems, databases, reporting, operational processes, promotional materials, website updates, and many others.

**21. What are the agency’s top five priorities? Please explain how the agency expects to address these priorities in FY 23.**

**Top 5 priorities for DLCP in FY23:**

- 1. Supporting the Mayor’s DC Comeback Plan and helping more residents to reach the middle-class and helping the existing middle class to thrive:**
  - DLCP continues to support the Mayor’s Comeback Plan by providing small business resource connections, navigating licensing requirements, removing barriers in obtaining vending and professional licenses, hosting workshops, and offering one-on-one assistance sessions. DLCP also

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continues to help existing businesses renew licenses faster and easier, while remaining in compliance with regulatory requirements. We do this by continuing to improve our processes and systems, raising our customer satisfaction rate, and conducting more outreach and educational activities to businesses.

**2. Making licensing easier and faster with process improvements and better systems or technology:**

- DLCP continues to complete a review all business processes to develop or update Standard Operating Procedures (SOPs) to identify continuous improvement opportunities. DLCP is developing new SOPs for new business areas.
- DLCP will replace or enhance some key core systems to improve efficiency and effectiveness as well as making it more user-friendly to the customers. This effort supports our ongoing efforts to strengthen our internal control and compliance process.
- DLCP will expand collaboration with other District government agencies to streamline licensing services. One such example is our existing partnership with the Office of the Chief Technology Officer (OCTO) and other agencies to create the DC Business Licensing Portal. This portal helps businesses navigate the licensing process and provides a dashboard and wizard that will make it easier to start, maintain, and close a business through the integration of electronic forms that will ultimately reduce barriers like time and cost.

**3. Expanding outreach and education activities to all customers:**

- DLCP will expand outreach and educational opportunities to all customers on consumer protection, business and professional licensing, regulatory compliance, and other DLCP's services and initiatives. DLCP will continue to ensure equity by providing outreach activities to all Wards - especially those populations who may speak a different language, require sign language or other type of special accommodation. Recently, DLCP launched the Street and Sidewalk Vending Series in partnership with the Mayor's Office of Community Affairs agencies to deliver targeted and tailored workshops to the various communities who are interested in obtaining vending licenses, such as the Latino, African, Asian and Pacific Islander, Caribbean, and African American Communities.

**4. Strengthening Consumer Protection and Enforcement:**

- Besides expanding consumer protection education and outreach activities, DLCP is currently reviewing the Consumer Protection Procedures Act (CPPA) has established a working group including sister agencies and

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external stakeholders, to identify opportunity areas and provide recommendations on how to improve the law.

- DLCP will continue to provide education and outreach activities on new or existing laws that affect business and use both strategic and complaint-based enforcement approach. For example, the agency conducted education and compliance check activities on the Flavored Tobacco Product Prohibition Amendment Act of 2021 before enforcement. The agency has conducted outreach close to 800 businesses licensed to sell flavored tobacco and promote awareness of the law. The agency is in the position to fully enforce the law and issue Notice of Infractions to any violators.

**5. Attracting and retaining talent to provide excellent customer service and increase customer satisfaction rating.**

- DLCP will continue to boost its recruitment efforts to fill all vacant positions to allow the agency to meet customer demands.
- The agency will implement DLCP’s Training Academy with a new platform that will serve as the central training repository for all agency-specific training. The agency will use this platform to create its agency specific content and provide more cross-functional training to staff. This will allow staff to acquire new skills and strengthen their institutional knowledge which will contribute to increasing the first contact resolution rate with customers.
- To increase staff retention, DLCP will continue to collect ideas and feedback from its staff on how to boost morale, improve communication, teamwork, training and career growth opportunities.

**22. What are the metrics regularly used by the agency to evaluate its operations? Please be specific about which data points are monitored by the agency.**

DLCP employs the following metrics for evaluating its operations:

- **Agency Performance Plan Metrics**

**Key Performance Indicators**

Measure	Directionality	FY 2023 Target
<b>1 - Provide timely and efficient processes to promote and improve the progression and business development in the District of Columbia. (6 Measure records)</b>		
Percent of businesses applying online that receive their license within one (1) business day from the date of submission	Up is Better	80%

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Percent of corporate registrations processed online, meeting the customer's request for expedited service of one (1) or three (3) business days	Up is Better	85%
Percent of compliant businesses that have renewals processed within one (1) business day from the date of application receipt	Up is Better	80%
Percent of Basic Business License, Corporation, and Occupational and Professional Licensing transactions that are conducted online	Up is Better	80%
Percent of Business Licensees for which prescreening is required, that receive a regulatory investigation within 15 business days	Up is Better	85%
Percent of occupational and professional license applications reviewed within (3) business days from the date of submission of a complete application	Up is Better	60%
<b>2 - Protect consumers through the investigation of unfair or deceptive business practices, and the timely enforcement of the Consumer Protection Procedures Act. (1 Measure)</b>		
Percent of Consumer Protection cases closed within 30-days from date of complaint submission	Up is Better	85%
<b>3 - Create and maintain a highly efficient, transparent, and responsive District government. (1 Measure)</b>		
Percent of Customer Relationship Management (CRM) cases that are resolved within 3 business days from date of receipt by the agency	Up is Better	New in 2023

**Workload Measures**

<b>Measure</b>
<b>1 - Business Licensing and Registration and Renewal, Business Service Center, Corporation Division, Occupational and Professional Licensing, Weights and Measures (13 Measure records)</b>
Number of Short-Term Rental licenses applications
Number of weighing and measuring devices approved
Number of professional licenses issued
Number of other corporate filings registered
Number of customers serviced by the Small Business Resource Center (SBRC)
Number of elevator certificates issued
Number of professional licenses renewed
Number of business licenses issued
Number of corporate entities registered
Number of special events issued
Number of business compliance surveys conducted
Number of business licenses renewed

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Number of applications submitted for new business licenses
<b>2 - Enforcement Unit, Consumer Protection, Special Events and Vending Enforcement (1 Measure)</b>
Number of Consumer Protection Investigations conducted
<b>3 - Personnel, Training and Employee Development, Property Management, Information Technology, Risk Management, Legal, Fleet Services, Communications, Customer Service, Performance Management, Internal Audit (1 Measure)</b>
Number of records requests completed by the Records Team

Besides the agency performance plan metrics, the agency also tracks and monitors all data shown on the agency’s public performance dashboard. Some of key metrics are below. For all agency metrics and data, please visit our agency [dashboard](#).

Metrics Monitored by Agency
Percentage of corporate registrations processed online for expedited service withing one (1) business day
Percentage of business license renewals processed within one (1) business day
Percentage of new business license received online and processed within one (1) business day of submission
Percentage of customer inquiries that are within one (3) business days
Percentage of consumer protection cases
Percentage of applicable business license applications that receive a timely Consumer Protection Unit investigation
Number of Notices of Infractions served by DLPC for vending, weights and measures, and consumer protection and regulatory investigation
Customer Surveys

**23. Please provide a copy of the agency’s FY 22 performance plan, if one was prepared. Please explain which performance plan objectives were completed in FY 22. If they were not completed, please provide an explanation.**

See Attachment Q23 – DCRA FY22 Performance Plan.

DLCP became a standalone agency on October 1, 2022, and the agency is submitting the FY22 Performance Plan for its predecessor, DCRA, for this question. DCRA has completed all of its FY22 performance plan objectives.

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**24. Please provide a copy of your agency’s FY 23 performance plan as submitted to the Office of the City Administrator, if one was prepared. Please identify any performance objectives or measures which have been added, modified or dropped since FY 22.**

See Attachment Q24 – FY23 Agency Performance Plan.

**25. Please describe any new initiatives or programs that the agency implemented in FY 22 and FY 23, to date, to improve the operations of the agency. Please describe any funding utilized for each initiative or program and the results, or expected results, of each initiative.**

- **Internal Control and Compliance Program:** This program establishes and maintains a culture of commitment to continuous improvement by providing objective and independent assurance and effective risk management of the agency’s various processes and systems in order to strengthen internal controls. For the remainder of FY 23, DLCP will complete a selected agency programs compliance review to ensure adherence to policies and standard operating procedures, address operational deficiencies, and determine compliance with statutory and regulatory requirements.
- **Street and Sidewalk Vending Workshop Series:** In FY 23, DLCP launched the Street and Sidewalk Vending Workshop Series in partnership with the Mayor’s Office of Community Affairs and its associated agencies. These series include periodic technical assistance and presentation activities tailored to various communities, including African, Latino, Asian-Pacific Islander, African American and Caribbean Communities. The series allows DLCP to provide more direct services to customers applying for vending licenses so they can better understand the licensing and compliance requirements.
- **Flavored Tobacco Product Prohibition Amendment Act of 2021 Enforcement:** Since this law went into effect on October 1, 2022, DLCP launched several compliance and outreach actions aimed at providing more awareness of the law by visiting close to 800 businesses licensed to sell to sell flavored tobacco. During this outreach, DLCP staff would inform the business of the new rules, distribute literature explaining the new rules, and explain that noncompliant products would need to be removed. Any violators found will be cited when the agency revisits these businesses. DLCP has notified all the affected licensees regarding the changes in law. This included the 405 businesses within a quarter mile of a middle and/or high school that are restricted to sell both flavored tobacco and electronic smoking devices. DLCP also made an announcement in its external newsletter of the changes in law. In

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addition, the agency has developed and published a map that identifies which business can or cannot sell electronic smoking devices due to its proximity to the middle or high schools.

**26. Please provide the Committee with:**

- a. **A list of all employees who received or retained cellphones, personal digital assistants, or similar communications devices at agency expense in FY 22 and FY 23, to date**

See Attachment Q26 – FY23 Communication devices.

- b. **A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned as well as a description of all vehicle accidents involving the agency’s vehicles in FY 22 and FY 23, to date;**

<b>Description of Car</b>	<b>Driver</b>	<b>Own/Leased/ Other</b>	<b>Accidents Reported</b>	<b>DLCP Division</b>
2008 Chevy Impala	Antione Walker	Own	None	Vending
2008 Chevy Impala	David Jacobs	Own	None	Weights & Measures
2008 Chevy Impala	Christopher Peace	Own	None	Vending
2008 Chevy Impala	Joseph Ferguson	Own	None	Weights & Measures
2008 Ford Crown Vic	Charles Sampson	Own	None	Weights & Measures
2014 Dodge Ram Pickup	Allen Smith	Own	None	Weights & Measures
2009 Honda Civic GX	Shared Vehicle	Own	None	Consumer Protection Unit
2009 Honda Civic GX	Shared Vehicle	Own	None	Consumer Protection Unit
2009 Honda Civic GX	Shared Vehicle	Own	None	Consumer Protection Unit
2014 Chevy Silverado	Lawrence Taylor	Own	None	Weights & Measures

- c. **A list of travel expenses, arranged by employee for FY 22 and FY 23, to date, including justification for travel.**

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FY23 as of February 16th, 2023		
Employee	Expense Cost	Justification
Angela Meggett Strudwick	\$2,358.53	National Association State Board of Accountancy Annual Meeting
Nicole McClendon	\$1,421.66	The International Conference of Funeral Service Examining Board Annual Meeting
Andrew Jackson	\$1,421.66	
Kimberly Troxler	\$1,421.66	
Nicole McClendon	\$415.81	National Board of Barbers of America Annual Conference
Rashan Broadnax	\$45.28	
Nicole McClendon	\$227.24	National Interstate Conference Annual Conference; opportunity for the organization’s committees (Governance, Policy, Textbook and Standards & Bylaws committees) to meet regarding specific area within the organization
Rashan Broadnax	\$477.29	
Erin Kelley	161.26	International Association of Security and Investigative Regulators; promoting effective state regulation and enforcement

- d. **A list of total workers’ compensation payments paid in FY 22 and FY 23, to date, including the number of employees who received workers’ compensation payments, in what amounts, and for what reasons.**

After DLCP established from the Department of Buildings Establishment Act of 2019, no workers’ compensation payments have been issued since its establishment.

27. **For FY 22 and FY 23, to date, what was the total agency cost for mobile communications and devices, including equipment and service plans?**

As of February 16, 2023, the FY23 total cost for the mobile communications and devices, including equipment and service plans is \$13,935.80.

28. **Please list in descending order the top 25 overtime earners in your agency in FY 21 and FY 22, to date, if applicable. For each state the employee’s name, position number,**

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**position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned.**

DLCP became a standalone agency starting in FY23, no historical data for FY21 and FY22.

29. **For FY 22 and FY 23, to date, please provide a list of employee bonuses, special pay granted, or separation pay issued, that identifies the employee receiving the bonus, special pay, or separation pay, the amount received, and the reason for the bonus, special pay, or separation pay.**

DLCP became a standalone agency starting in FY23. There is no employee bonuses, special pay granted, or separation pay issued in FY23, to date.

30. **Please provide a list of any training or continuing education opportunities made available to agency employees. For each training or continuing education program, please provide the subject of the training, the names of the trainers, and the number of agency employees that were trained.**

Since October 1, 2022, DLCP has made the following trainings available to all employees:

<b>Trainings</b>	<b>Data Conducted</b>	<b>Number of Employees</b>
Languages Access Training	December 2022	131 Completed
Customer Service	October 2022	6 (All Customer Service Reps)
Cyber Security	December 2022	141 Completed

DLCP will continue to offer the above trainings to employees and it plans to offer the following additional trainings:

<b>List of Trainings</b>	<b>Anticipated Timeframe</b>	<b>Target</b>
Language Access	Q2	All DLCP Employees
Ethics Training	Q2	All DLCP Employees
Open Meetings Act	Q2	Occupational and Professional Licensing Unit and select Managers
The 5 Leadership Languages	Q3	Division and Program Managers
Cross-Functional Agency Training	Q3	All DLCP Employees
Customer Service	Q2	All DLCP Employees

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Staff Performance Management	Q3	Division and Program Managers
Agency Performance Management	Q3	All DLCP Employees
Emotional Intelligence	Q3	All DLCP Employees
Mediation Training	Q3	Consumer Protection Unit and Enforcement Unit
Data Analysis	Q3	All DLCP Employees
Peer Coaching	Q4	All DLCP Employees
Cross-Functional Agency Training	Q4	All DLCP Employees
Managing Conflicts Effectively	Q4	All DLCP Employees
Progressive Discipline	Q4	Division and Program Managers
Advancing Racial Equity	Q4	All DLCP Employees

**31. Please describe the Department’s remote work policies, when they were last updated, and how they differ from policies and practices prior to the COVID-19 pandemic.**

Since the establishment of DLCP, the agency has followed the District’s telework policies issued by DCHR.

**32. Please identify all electronic databases maintained by your agency, including the following:**

- a. A detailed description of the information tracked within each system;
- b. The age of the system and any substantial upgrades that were made in FY 22 or FY 23, to date, or that are planned for the system;
- c. Whether the public is currently granted access to all or part of each system; and
- d. Whether the public could be granted access to all or part of each system.

**Active Business Licenses in the District (Accela)**: This dataset contains active licensing information on businesses approved to do business in the District.

**Basic Business Licensing (BBL)** – This dataset contains all the licensing information and workflow management on basic business license categories.

**Vending Licensing** - This dataset contains all the licensing information and workflow management on vending licensing.

**Elevator License (Accela)**: The District of Columbia requires that an owner of a conveyance in public use have an elevator license issued by DLCP with a valid Certificate of Inspection issued by DOB to operate that conveyance in accordance with

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DC law. This dataset provides information on all the elevator licenses and Certificates of Inspections issued by DOB for all elevators in the District..

**Mobile Roadway Vehicle (MRV) Vending Lottery Results (Accela)**: Mobile Roadway Vehicle Vendors (i.e., food trucks) pay a nominal fee to enter a lottery to secure one of the optimal vending locations throughout the District. This dataset contains the location lottery results.

**Attorney and Enforcement Case Management System (Abacus)**: This dataset maintains information about litigation cases, legal assignments, and enforcement matters handled by the DLCP, Office of the General Counsel, and/or the Enforcement Division.

**Consumer Protection Investigation (Column Case Management)**: DLCP’s Consumer Protection Unit (CPU) protects District residents, visitors, and businesses by investigating deceptive, unfair, or unlawful trade practices against consumers in the district. The CPU also investigates complaints to ensure that businesses are operating in compliance with applicable licensing and corporation regulations and statutes. This dataset includes investigation details of active and resolved cases, including but not limited to complainant information, type of complaint, and amount of money recovered for consumers.

**Corporations (CorpOnline)**: This data provides information on registered corporations within the District.

**Customer Interaction data (KRM – agency’s Customer Relationship Management system)**: Kustomer (KRM) consolidates and manages interactions between DLCP and customers—whether by phone, email, or website—automatically routing the issues to the appropriate division or team member. This dataset provides information on customer experiences with the agency and the customer satisfaction ratings.

**Occupational and Professional (OPL) Licensing (OPLSystem)**: Occupational and Professional Licensing provides a search function where the public can find information using license information and relevant date range.

**Short-Term Rental (Granicus)**: It provides address identification and compliance monitoring of all listings within the District of Columbia. This includes ongoing monitoring of 60+ Short Term Rental websites including major platforms Airbnb, VRBO, HomeAway, Booking.com, FlipKey, & Expedia. Compliance monitoring provides up-to-date information for each identified Rental Unit and its compliance status.

**Small Business Resource Center Consultation (Accela)**: DLCP’s Small Business Resource Center (SBRC) is your premier one-stop shop for information and services that can help you start and strengthen your business in the District. Through the SBRC, you can access training, workshops, seminars, one-on-one technical and educational

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assistance, and other services at no cost. Our one-on-one counseling sessions include individualized business planning, management, marketing, sales, procurement, strategic planning, and firsthand access to financing resources. With the District expanding, residents have access to an innovative city full of opportunities for both new and established business enterprises.

**Special Events License (Accela)**: To ensure public safety, in cooperation with numerous federal and local government agencies, all special events are licensed through DLCP. This dataset provides information on all special event licenses granted by DLCP, including start and end dates, license status, license number, and individual and/or corporate name.

**Vending Enforcement (QuickBase)**: This dataset contains information regarding vending inspections.

**Vending License (Accela)**: A Vending Business License is required for goods and services sold exclusively from a public space and that are for the immediate delivery to the customer upon purchase. This dataset provides information on all vending licenses issued in the District of Columbia, including individual or corporation name, license category, license number, and license status.

**Weights & Measures Devices (QuickBase)**: This dataset provides information on weights and measures devices approved and condemned for the different inspection types (i.e. scales, gas, octane, pre-pack, and price verification).

- e. The age of the system and any substantial upgrades that were made in FY 22 or FY 23, to date, or that are planned for the system;

<b>Applications</b>	<b>Year Installed</b>	<b>FY 22, 23 Substantial Upgrades</b>
Accela	2008	None
Abacus	2018	None
Column Case Management	2022	None
CorpOnline	2012	None
Kustomer	2019	None
OPL	2021	None
STR	2022	None
Vending	2020	None
Weights and Measures	2009	None

- f. **Whether the public is currently granted access to all or part of each system; and**

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The public has access to the systems that allow them to perform their business transactions, view their transaction or licensing status, and search agency’s public facing records.

- g. **Whether the public could be granted access to all or part of each system.**

The public has access to all the public facing systems.

33. **Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or funded during FY 22 and FY 23, to date. Please submit a digital copy to the Committee of any study, research paper, report, or analysis that is complete.**

None to date since the establishment of DLCP.

**CONTRACTING AND PROCUREMENT**

34. **For FY 22 and FY 23, to date, please list any purchase card spending by the agency, the employee making each expenditure, and the general purpose for each expenditure.**

<b>FY 2023 to Date (2/15/2023) Purchase Card Spending</b>			
<b>Cardholder</b>	<b>Position Title</b>	<b>Total Spent</b>	<b>Purchase Description</b>
Melanie Henderson	Operations Manager	21,933.09	Clothing and Uniforms, rentals, maintenance and repair, travel and conference fees
Rebecca Janovich	Program Manager	5,219.87	Registration, subscription, office supplies
<b>FY 2023 PCARD Total</b>		<b>27,152.96</b>	

35. **Please list and provide a copy of all memoranda of understanding (“MOU”) entered into by your agency during FY 22 and FY 23, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.**

See Attachment Q35 - MOUs

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**36. Please list each contract, procurement, and lease entered into or extended by your agency during FY 22 and FY 23, to date. For each contract, please provide the following information where applicable:**

- a. The name of the contracting party;
- b. The nature of the contract, including the end product or service;
- c. The dollar amount of the contract, including amount budgeted and amount actually spent;
- d. The term of the contract;
- e. Whether the contract was competitively bid;
- f. The name of the agency’s contract monitor and the results of any monitoring activity; and
- g. The funding source.

Agency	Contract Number	Vendor	Description of Service	Option Period	Period of Performance	FY23 Amount
DLCP	CW97459	Public Performance	New Short-Term Rental System	OY1	1/28/23-1/27/24	\$ 763,068.17
DLCP	CW76289	Limbic Systems Inc	Business Portal Maintenance and Support	OY3	10/1/22-9/30/23	\$827,151.00
DLCP	CW100542	Triage Group	Corporation System Maintenance and Support	Base	7/10/22-7/11/23	\$ 216,960.00
DLCP	CW89864	Munirevs	Short-Term Rental application	OY1	6/1/22-2/21/23	\$ 107,916.65
DLCP	CW90469	LS Caldwell	Customer Service for Occupational and Professional Licensing	OY1	4/1/22-3/31/23	\$976,279.00
DLCP	CI4186	PRISM	License Identification Printing Maintenance and Support	N/A	9/30/2022	\$157,906.35
DLCP	CW66770	Walton and Green	Temporary Services	OY4	12/21/22-9/30/23	\$ 290,000.00
DLCP	CW94167	Column Technologies Inc,	Consumer Protection Unit Case Management System			
DLCP	CW95481	Computer Aid, Inc.	STAR2 IT Contract - Applications Developer Lead - Padmavathi Arae	OY2	1/1/23 - 9/30/23	\$ 125,140.40
DLCP	CW95481	Computer Aid, Inc.	STAR2 - Applications Developer Lead - Sunil Pandit	OY2	1/1/23 - 9/30/23	\$ 125,140.40

**37. What is your agency’s current adjusted expendable budget for CBE compliance purposes? How much has been spent with SBEs or CBEs? What percent of the agency’s current adjusted expendable budget has been spent with SBEs or CBEs? .**

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Fiscal Year	Green Book SBE Goal	Adjusted Expendable Budget	Adjusted SBE Spending Goal	SBE Expenditure	% of Adjusted Expendable Budget Spent with CBE's	% of Meeting Adjusted CBE Goal	Amount Spent with CBE's	% of Budget Spent with CBE's
FY23 (As of Feb 1)	\$5,562,765.97	\$11,125,531.94	\$5,562,765.97	TBD*	TBD*	TBD*	TBD*	TBD*

\*The agency is doing quality assurance on the expenditure.

**38. Please list all pending lawsuits that name the agency as a party. Identify which cases on the list are lawsuits that potentially expose the District to financial liability or will result in a change in agency practices and describe the current status of the litigation. Please provide the extent of each claim, regardless of its likelihood of success.**

Party	Filed Against	Allegation	Status
Claimant A	DCRA, DLCP's predecessor on 8/13/21	Complaint alleging common law and constitutional claims, seeking \$50 million in damages	Case is pending
Claimant B	DCRA, DLCP's predecessor on 8/13/21	Complaint alleging common law and constitutional claims, seeking \$50 million in damages	Case is pending
Claimant C	DCRA, DLCP's predecessor on 8/17/21	Complaint alleging common law and constitutional claims, seeking \$50 million in damages	Case is pending
Claimant D	DLCP on 10/31/22	Petition for review of agency order or decision	Case is pending

**LEGAL, LEGISLATIVE AND REGULATORY ACTIONS**

**39. Please list all settlements entered into by the agency or by the District on behalf of the agency in FY 22 or FY 23, to date, and provide the parties' names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.). -**

None in FY23 to date.

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**40. Is DLCP currently party to any active non-disclosure agreements? If so, please provide all allowable information on all such agreements, including the number of agreements and the department(s) within DLCP associated with each agreement.**

DLCP has one active non-disclosure agreement within the Office of Director.

**41. Does DLCP require non-disclosure agreements for any employees or contractors?**

No, DLCP does not require non-disclosure agreements for any employee or contractor.

**42. Please list the administrative complaints or grievances that the agency received in FY 22 and FY 23, to date, broken down by source. Please describe any changes to the agency policies or procedures that have resulted from complaints or grievances that were resolved in FY 22 or FY 23, to date.**

Date	Employee/Union	Issue	Status
11/21/2022	AFSCME 2473 (3 employees)	Job posting/Promotion of another member	Denied
12/16/2022	AFSCME 2473 (1 employee)	Job posting/Promotion of another member	Denied
1/3/23 received but dated 1/4/23	AFSCME 2473 (3 employees)	Job posting/Promotion of another member	Denied

**43. Please provide the number of FOIA requests for FY 22, and FY 23, to date, that were submitted to your agency. Include the number granted, partially granted, denied and pending. In addition, please provide the average response time, the estimate number of FTEs required to process requests, the estimated number of hours spend responding to these requests, and the cost of compliance.**

<b>DLCP FY23 Report (October 1, 2022 through February 9, 2023)</b>	
FOIA requests received for FY 2023	140
Number of Requests Processed in Fiscal Year	112
Requests granted in whole	54
Requests partially granted	13
Requests denied in whole	0

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Number of FOIA requests pending on February 9, 2023	28
Average response time	10
Number of FTEs required to process requests	3
Estimated number of hours spent responding to these requests	100% of the time for 2 FTEs and 10% of the time for supervisory review of 1 FTE
Estimated cost of compliance as of February 9, 2023	\$101,275.79

**44. Please list and describe any ongoing investigations, audits, or reports on the agency or any employee of the agency that were completed during FY 22 and FY 23, to date.**

For FY 23, there are none that have been completed to date. There is an ongoing internal investigation regarding allegations about a personnel situation. The investigation, which began in FY22 under DLCP's predecessor DCRA, and it remains open at this time.

DLCP recently received two complaints involving a member of one of the Occupational and Professional Licensing Board or Commission. The complaints stem from the same issue, which is currently under investigation.

**45. What efforts has your agency made during FY22 to increase transparency? Please explain.**

Under DLCP's predecessor, DCRA, the agency made several commitments to increasing transparency by implementing various initiatives during FY22 aimed at giving citizens easier access to data and information. A key focus area for the agency in FY22 was to create tools that can support customers in their decision-making process. Our efforts led to the following three successful launches:

- The Department has continued to expand its agency public dashboard to help residents better track and understand DCRA's key performance indicators and workload measures.
- The Department launched a new enforcement dashboard page was launched to ensure only Notice of Infractions (NOIs) that have been successfully served are displayed. Furthermore, indicators were added to allow residents to identify whether an NOI has been filed with the Office of Administrative Hearings and whether a final order has been issued.
- The Department launched a transition website to educate resident on the two new agencies, and successfully launched two new agency websites.

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In addition to the proactive outreach and compliance checks on flavored tobacco, DLCP developed a publicly available map, displaying businesses licenses to sell flavored tobacco that are within a quarter-mile radius of any middle school or high school, whether the school is public, private, or public charter. The map may be accessed at <https://dcgis.maps.arcgis.com/apps/webappviewer/index.html?id=646fdbdd9c5a4828988b13881c60fad9>. We hope this will empower residents, teachers, and businesses in complying with the new law.

**46. What efforts will your agency be making in FY23 to increase transparency. Please explain.**

DLCP will continue to maintain transparency by taking the following actions:

- Continue to update and maintain its public dashboard to help residents better track and understand DLCP's key performance indicators, workload measures and other key operational metrics;
- DLCP has already deployed a map to show the public the locations of licensed business within a quarter mile of a middle or high school that are prohibited from selling electronic smoking device. This map is available at <https://dcgis.maps.arcgis.com/apps/webappviewer/index.html?id=646fdbdd9c5a4828988b13881c60fad9>. The agency will continue to update the middle or high school locations that may affect the businesses within its proximity;
- Increase outreach and education events to be more transparent with stakeholders and customers about service level agreements on complaint process, licensing process, and other agency services;
- Adding major outreach events on agency websites and newsletters, and social media;
- Examine the agency's website to further improve information shared with the public so customers have all the necessary information to start or maintain their businesses, understand their consumer rights and submit their complaints;
- In partnership with the Office of the Chief Technology Officer (OCTO), DLCP has launched the DC Business e-Stop Business Portal. This portal helps businesses navigate the licensing process and provides a dashboard and wizard that will make it easier to start, maintain, and close a business through the integration of electronic forms that will ultimately reduce barriers like time and cost.
- In partnership with the Office of the Chief Technology Officer (OCTO). DLCP has launched the DC Business Licensing Portal. This portal helps businesses navigate the licensing process and provides a dashboard and wizard that will make it easier to start, maintain, and close a business through the integration of electronic forms that will ultimately reduce barriers like time and cost. OCTO and DLCP have been partnering with 7 other agencies and will continue to work with additional agencies to bring more transparency to the licensing requirements.

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- Implemented an Internal Control and Compliance Program (ICCP) – please refer to more details under question #25.

**47. How many total complaints were filed with DLCP (formerly DCRA) during FY22 and FY23, to date? Of the total for each year, how many complaints concerned:**

Total number of complaints filed:

- In FY22: 1,834
- In FY23 to date: 732

a. Unlicensed rental properties or activities

In FY22: 95 complaints

In FY23: 75 complaints

b. Unlicensed businesses

In FY22: 105 complaints

In FY23: 150 complaints

**48. During FY22 and FY23, to date, how many mediated complaints were resolved to the satisfaction of the consumer and the business?**

In FY22, DLCP’s predecessor, DCRA, engaged in mediation to resolve 247 CPPA cases.

In FY23 to date, DLCP has attempted to mediate 46 CPPA cases. DLCP’s case management system, Column, does not currently track the outcome of mediation; however, DLCP staff is attempting to add this functionality to the system. In the interim, DLCP staff track mediation satisfaction. After staff review of the 46 cases where mediation was attempted, customers expressed satisfaction 9 times, dissatisfaction 12 times, with the customer disposition “unknown” for the remaining 25 cases.

**49. During FY22 and FY23, to date, how many community outreach and education events and engagements targeting communities most vulnerable to unfair trade practices were conducted by DLCP, either virtually or in-person?**

Since becoming a standalone agency in FY23, DLCP has held over 20 community outreach and education activities targeting communities most vulnerable to unfair trade practices. Such activities included topics of street vending, short-term rental and long-term rental tenants’ rights.

**LICENSING AND CONSUMER PROTECTION**

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50. **Please describe DLCP’s efforts during FY22 and FY23 (to date) to adequately estimate the total number of unlicensed rental properties and proactively target properties and units that are not registered?**

DLCP has implemented a short-term rental system that provides address identification and compliance monitoring of all short-term rental listings within the District of Columbia. This includes ongoing monitoring of more than 60 short-term rental websites such as Airbnb, VRBO, HomeAway, Booking.com, FlipKey, and Expedia. The system’s compliance monitoring capability provides up-to-date information for each identified rental unit and its compliance status. This is how the agency estimates the total number of unlicensed rental units and take necessary enforcement actions. The agency also takes a strategic proactive approach to investigate expired rental licensees to ensure compliance.

51. **Please describe DLCP’s efforts during FY22 and FY23 (to date) to proactively identify and conduct outreach to licensees whose basic business has been expired for a month or more, and the licensee has not applied for a renewal.**

DLCP provides ongoing outreach to businesses that have an expired Basic Business License. Letters are sent out 15 and 30 days after the expiration of a license. After 30 days, the status of the license is changed to “expired” and a list of expired businesses are sent over to Consumer Protection Unit for spot checks as they also check on complaints they receive regarding expired licenses.

52. **Please provide an update on the agency’s new consumer protection case management system, which was scheduled to launch during FY22.**

The new consumer protection case management system was launched on April 1, 2022. The agency will continue to update and enhance the system to ensure operational efficiency and effectiveness.

53. **During FY 22 and FY 23, to date, with regard to the Short-Term Rental (STR) Program**

- a. **How many applications were submitted for short-term rental licenses?**

<b>Fiscal Year</b>	<b>Total Number of Short-Term Rental Applications Submitted:</b>
FY2022	1,739
FY2023 to date as of February 16, 2023	225

- b. **How many applications were submitted for vacation rental licenses?**

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<b>Fiscal Year</b>	<b>Total Number of Vacation Rental Applications Submitted:</b>
FY2022	580
FY2023 to date as of February 16 <sup>th</sup> , 2023	106

**c. What is the average length of time (in days) from application submission to completed processing?**

The average length of time for application processing is 1.3 days. 95% of applications in FY23 to date have been reviewed within one business day. The remaining 5% required more information from the applicants in order to complete the application processing.

**54. How many illegal short-term rental properties were identified and cited after the enforcement grace period ended in April 2022?**

As of February 16<sup>th</sup>, 2023, 180 rental properties have been cited for unlicensed rental activity and failure to obtain a short term or vacation rental license.

**55. Please describe DLCP’s outreach efforts FY22 and FY23, to date, to District business to ensure that retailers are familiar with their responsibilities under the Flavored Tobacco Product Prohibition Amendment Act of 2021.**

DLCP has conducted education, outreach, and compliance checks to close to 800 businesses with licenses to sell tobacco products in the District. The agency is targeted to complete all remaining small number of businesses by the end of February 2023. The agency has also sent out notifications to all businesses regarding the Flavored Tobacco Product Prohibition Amendment Act of 2021 and those businesses that are within quarter mile of middle of high schools that are restricted from selling electronic smoking device. Besides the notices, the agency has published the relevant information on its website and newsletters.

**56. Please describe DLCP’s enforcement efforts to ensure retailer compliance with the Flavored Tobacco Product Prohibition Amendment Act of 2021.**

As part of our outreach and education to affected licensees , DLCP staff noted whether businesses were already in compliance with the Flavored Tobacco Product Prohibition Amendment Act of 2021. If a business was not in compliance, the DLCP staff member indicated what the business could do to be in compliance and gave the business information on the new law. Now that DLCP has completed its outreach to the businesses licensed to sell tobacco, DLCP investigators are proceeding with enforcement of the law.

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On February 17, 2023, DLCP released an Administrative Issuance via the *D.C. Register* articulating the fine schedule for violations of the Act. DLCP is beginning to take enforcement actions for any violators found. The agency is taking on a strategic proactive and complaint-based approach for enforcement.

**57. During FY22 and FY23, to date, how many complaints have been received by DLCP regarding violations of the Leaf Blower Regulation Amendment Act of 2018? During that same period, how many violations were identified or cited?**

In FY22, DLCP’s predecessor, DCRA received 515 complaints regarding violations of the Leaf Blower Regulation Amendment Act of 2018. The agency issued 43 Notices of Infraction for violations of the Act.

In FY23 to date, DLCP has received 244 complaints regarding violations of the Leaf Blower Regulation Amendment Act of 2018. The agency has issued 44 Notices of Infraction for violations of the Act to date.

**58. In December 2022, the Council pass the “Business and Entrepreneurship Support to Thrive Amendment Act of 2022”, which simplifies the city’s business licensing law by reducing the number of business license categories, creating a flat fee for all licenses and exempting some small businesses from the basic business licensing fee. Please describe DLCP’s planned efforts during FY 2023 to implement this law including expected rulemaking changes, public outreach as well as necessary modifications, if any, to DLCP’s management or licensing processing systems.**

The Business and Entrepreneurship Support to Thrive Amendment Act of 2022 imposes considerable changes to licensing categories and will significantly impact the agency operating fund, multiple systems, reporting, databases, program processes and promotional and outreach materials. However, because this legislation is not yet funded and is subject to appropriations, DLCP will plan for its implementation once funding is appropriated.