

Certificate of Occupancy Frequently Asked Questions (FAQs)

1. What is a conditional certificate of occupancy (CCO)?

A conditional certificate of occupancy (CCO) is a mechanism to assist an owner to obtain limited occupancy of a building that is still under construction. A Core and Shell C of O is required to be issued before a CCO is issued. A Core and Shell C of O does not allow occupancy of the building.

2. When is a CCO issued?

A CCO is issued when the building, structure, or portion thereof may be safely occupied even if the work required under the issued permits is not complete. Review the Guidelines for the Issuance of Conditional Certificates of Occupancy and related checklist for the submission requirements and DCRA review and approval process.

3. What inspections are necessary for CCO issuance?

All inspections identified in question #13 plus an oversight inspection may be required prior to CCO issuance. A zoning inspection may be required to verify parking and loading, inclusionary zoning (IZ) units, and if the development obtained zoning approval from the Zoning Commission or Board of Zoning Adjustment, an inspection to verify compliance with the Order conditions and/or additional documentation from the owner will be required prior to the issuance of a CCO.

4. What are green requirements for a CCO?

Green Building Act (GBA) projects must demonstrate the building is on track to certification. Privately funded GBA projects must also provide a financial security. Green Construction Code (GCC) projects must have conducted a Rough and Final Green Inspection and provided all applicable documents. GCC inspections must be conducted by a DCRA building inspector. Third Party Agencies are not currently approved to conduct Green Building Inspections. DCRA anticipates training the Third Party Agencies to be able to perform plan review and inspections in spring 2017. For detailed information, please visit www.buildgreendc.org/certificate-of-occupancy.

5. May multiple CCOs be issued for a single building permit?

Yes. For example, if the owner of a multi-family building would like to partially occupy units before the construction is complete, the owner or his/her designated agent may apply for a CCO as floors of the building are ready to be occupied. For a development with an inclusionary zoning (IZ) requirement, a proportion of market and IZ units must be provided and the COO application should specifically list the IZ units by unit number.

6. What is the maximum number of CCOs which may be issued for a project?

An applicant is encouraged to limit the number of CCOs for which they apply; however, there currently is no maximum numbers. A final COO that lists all floors, below grade parking, IZ units (if required), and ground floor retail (if provided) must be issued prior to the expiration of the last CCO.

7. What is the length of a CCO?

Typically a CCO is issued for 30-90 days, as recommended by the applicant's Third Party Agency or DCRA for a property not inspected by a Third Party Agency. DCRA's Third Party Program staff will review all CCO applications and requests from Third Party Agencies for the duration of the CCO. The CCO will bear an expiration date by which time the conditions of the CCO must be met. If the applicant is unable to satisfy the conditions under which the CCO was granted, the applicant should submit another CCO application, with a letter from the Third Party Agency explaining the reasons for which the conditions could not be met and a date by which they will be resolved. Advise DCRA if you have a special circumstance which warrants a CCO of greater than 90 days.

8. How long after an applicant submits a CCO application is an inspection to be scheduled?

If a zoning or oversight inspection is required, it will generally be scheduled within 3-5 business days of the submission of a complete application.

9. When is a Core and Shell C of O required?

A Core and Shell C of O is not required unless the applicant will be seeking a CCO for the building. DCRA will issue a Core and Shell C of O if requested by the owner for financing or other reasons. A Core and Shell C of O does NOT allow occupancy of a building, rather, the issuance of it signifies that the Core and Shell have been fully constructed, consistent with the approved building plans and are operational.

10. My project intends to request a CCO. When should we come in for a Core and Shell C of O?

Once all the Core and Shell inspections are complete, reports are submitted to DCRA's third party inspections staff and approved.

11. What steps are necessary if an applicant intends to operate a newly constructed parking garage prior to obtaining a C of O for the building?

A Core and Shell C of O is not required to occupy the garage. The applicant shall obtain a CCO to occupy the building while construction of the rest of the building continues.

12. Is it permissible to start construction on a Tenant Layout (TL) permit prior to issuance of the Core and Shell C of O?

Yes, once the TL permit has been issued, construction may begin. However, a Core and Shell C of O for the building must first be issued prior to issuance of either a conditional or final C of O for the tenant space.

13. What inspections are necessary for Core and Shell C of O issuance?

- *Special Inspections*
- *Mechanical Final*
- *Plumbing Final, including fire suppression system hydrostatic inspection*
- *Electrical Final, including fire alarm system test*
- *Fire Final*
- *Have at least one working elevator*
- *Approval of the Wall Check*
- *DCRA Green Rough-in Inspection*

- Department of Energy and Environment (DOEE) Stormwater Regulations (Final Approval Notice (FAN) issued to applicant by DOEE) and Green Area Ratio (GAR) compliance (DOEE inspected and approved Landscape Checklist)
- Core and Shell building inspection (Last inspection to be completed)

14. If required, must the green roof be completed prior to the Core and Shell C of O?

In certain circumstances, an applicant may not be able to fully complete the installation of a green roof before the Core and Shell C of O is ready to be issued. In those cases, the applicant must contact [DOEE](#) and obtain their approval to delay the installation of the green roof. For example, the winter months may not be an appropriate time to install a green roof. Even if the Core and Shell C of O is issued with a partially installed green roof, the green roof must be fully installed prior to the issuance of the final C of O for the building.

15. What is required to obtain final Stormwater and GAR (Green Area Ratio) approval from DOEE and must it occur prior to the issuance of a Core and Shell C of O or CCO?

The operating guidance for I&EB Stormwater Management Plan (SWMP) “sign off” on projects that require SWM Best Management Practices (BMPs) include:

1. An approved DOEE final inspection for construction of the approved SWM BMPs and
2. An “As-built Plan” is submitted to DOEE for review and is approved.
 - a. The As- built is required to be submitted within 21 days of the Final Inspection. Upon approval of the As-built a Final Approval Notice (FAN) is issued to the Stormwater Plan owner and their agents. The FAN represents final approval for SWMP compliance.

With respect to projects where GAR is required, the completed Landscape Checklist is required to be completed by a certified Landscape Expert and forwarded to DOEE’s GAR Office. The completed Landscape Checklist represent final compliance for GAR required for inspection the I&EB. DOEE does not oppose the issuance of Core and Shell or CCO on projects where SWM is required but not completed; however, the applicant is advised that the final C of O will not be issued until the final SWMP inspection has occurred and the applicant has submitted the as-built plan to DOEE.

16. When should I consider and plan for phased occupancy?

The best time to consider the future phased occupancy of the proposed building is during the design phase. DCRA encourages owners to consult with their design professionals to develop building plans that will support phased occupancy. If questions arise during this process, the applicant can request a Preliminary Design Review Meeting (PDRM) to discuss questions with technical staff. To schedule a PDRM please contact: Arlette Howard by email at Arlette.Howard@dc.gov or by phone at (202)442-4558.

17. What is the process to obtain a C of O for phased occupancy?

A project completes work under a Core and Shell building permit and then applies for and obtains a Core and Shell C of O. This ensures that life safety systems are in place. After the Core and Shell C of O is issued, a final or conditional certificate of occupancies can be applied for each space in the building as it is completed under separate building permits. See examples below:

Examples of Phased Occupancy:

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1. A 10 story new spec office building with a grocery store on the first floor and one tenant who secured plans for occupying the 9th and 10th floors. Additionally, a 3 story underground parking garage is being built first. The developer would like to have tenants occupy spaces as they come online.

a. Process

- i. The parking garage is completed first under a building permit.
 - ii. The Core and Shell building is completed under a building permit.
 - a. The owner applies for and receives a Core and Shell C of O. No spaces can be occupied under a Core and Shell C of O, but the owner may apply for a CCO to occupy the building.
 - b. The owner applies and receives a CCO to use the parking garage. If the owner wants to use the garage before the Core and Shell C of O is complete, they can apply for a CCO for the garage space.
 - iii. The grocery store is completed under a tenant layout permit.
 - a. The grocery store applies for and receives a C of O to occupy the grocery store.
 - iv. The 9th and 10th floor tenant completes work under a tenant layout permit.
 - a. The tenant applies for and receives a C of O for the 9th and 10th floor only.
- b. To note, all the certificate of occupancies that are being received, are the final C of Os for those spaces.
- c. As the 2-8 floors are completed under a series of building permits, each separate tenant will be required to receive a C of O.
- d. None of the C of O issued for the spaces above are “conditional”. They are the final C of O for those spaces. If there were conditions, then they would be issued as CCOs that would allow for the spaces to be occupied for a period of time until the conditions can be fulfilled.

2. A 10 story mixed use multifamily building with three retail spaces and a restaurant/bar on the first floor. Floors 2-10 are all multifamily residential spaces and the owner plans on finishing it one floor at a time.

a. Process

- i. The Core and Shell building is completed under a building permit.
 - a. The owner applies for and receives a Core and Shell certificate of occupancy. No portion of the building may be occupied under a Core and Shell C of O.
 - b. After the Core and Shell C of O has been issued, the applicant may apply for a CCO to occupy the leasing office.
- ii. Build-out of the three retail spaces and the restaurant/bar space is completed under four separate tenant layout permits.
 - a. The operators of each retail and restaurant/bar apply for and receive a C of O to occupy their respective spaces.
- iii. The owner finishes one residential floor at a time starting with the 2 and 3rd floor under one building permit.
 - a. As each floor is finished, a CCO is applied for and received for each floor.

