



Government of the District of Columbia
Department of Consumer and Regulatory Affairs

Illegal Construction Frequently Asked Questions

What is neighbor notification?

Neighbor notification is a form designed by the Department of Consumer and Regulatory Affairs (DCRA) to ensure neighbors are duly aware of the scope of construction that may impact their property. Neighbors are allowed to view only those pages that pertain to structural support or impact of the design.

Why is neighbor notification required prior to starting construction?

According to District law 12 DCMR 3307.2, neighbor notification must occur, prior to beginning construction, when there is a need to install structural support, underpinning, support adjacent premises and excavation.

How many days in advance should neighbors receive notice?

A 30-day notice is typical in most cases.

When is notification received?

Neighbor notification should be received by registered or certified mail to the registered owner (Office of Tax and Revenue Database) or by courier.

What actions do you need to consider taking?

Consult available resources (other than the immediate builder or contractor) like the DCRA website (dcra.dc.gov) and learn about complaints, codes, forms, guidance and inquiries. Make an appointment or simply stop by DCRA offices. Consult with an independent architect or engineer.

What do neighbors need to know?

- Neighbors need to know about a request for access. The refusal is your right, but you must be prepared to protect your own property.
- Neighbors need to know what permits have been issued or are under review (i.e. DCRA, Property Information Verification System {PIVS}).
- Neighbors need to be notified of plans that mention or show underpinning, vertical additions (pop-up), excavations or party-wall work.

What if you did not receive neighbor notification?

- You still could check your neighbor's permits by using PIVS.



- If no permits have been issued, you can contact DCRA Illegal Construction Enforcement (ICE) at **311** or (202) 442-STOP (7867).
- If no permits have been issued, you can contact DCRA's Permit Operations Division (POD) at (202) 442-4589.
- If construction has started and you did not receive notification, contact **311**.

When is neighbor notification not required?

Neighbor notification is not required when the scope of the work occurs entirely in the interior of a building or when the work is pursuant to a postcard permit.

What are the contractor's responsibilities?

- According to District law 12 DCMR 3307.1, the contractor's responsibilities include having the adjoining public and private property being protected from damage during construction at the expense of the person causing the work.
- The contractor's responsibilities include predicting damage and providing safeguards.
- The contractor's responsibilities includes securing the party-walls (and blocking water intrusion) and installing chimneys and gas vents (natural draft) in a 3-2-10 rule.
- The contractor's responsibilities include having footers (areas of influence) and fences for protection versus restoration.
- The contractor's responsibilities finally includes maintaining property lines versus face-on-line wall, a pier foundation or safeguarding from site hazards

What are the additional responsibilities of the contractor?

- The contractor must cover the entire scope of work in the permits and that scope must be posted in PIVS.
- The contractor must only work between the hours of 7 a.m. and 7 p.m. Mondays through Saturdays and never on Sundays or holidays. Residents can call **311** if the contractor is out of compliance.
- The contractor must be onsite and not work remotely while construction is ongoing.

How does DCRA suggest you work with your own contractor?

- Always maintain detailed plans.
- Exact scope of work and defined materials.
- Plans and permits are a contractor's marching orders.
- Level the playing field for accurate bids.



- Planned versus spontaneous construction.
- Simplify neighbor notification.
- Inspection quality and success.

Furthermore, DCRA suggests that you:

- Obtain multiple bids.
- Research the contractor (experience versus scope of work).
- License, insurance and bonding (get copies).
- Bid versus contract versus licensing.
- Use DCRA's enforcement leverage.
- Always read the contract thoroughly and determine who is responsible for acquiring the permits and who is actually contracted to do the work.

Finally, DCRA suggests that you:

- Remember to check the business transaction and deposits.
- Remember to check your rights on hiring and firing the contractor.
- Remember to check for mechanic liens.
- Remember to check for possession of building materials.
- Remember to use the permitting system to your advantage.
- Remember to draw based upon approved DCRA inspections.

What are other things you should know?

- If there is an issue with trespassing on private property contact **911** (Metropolitan Police Department {MPD}).
- If there is an issue with parking enforcement near the property, contact the Department of Public Works (DPW) or **311**.
- If there is an issue with an alley being blocked, contact the District of Columbia Department of Transportation's Public Space division.
- If there is an issue with noise resulting from construction or issues with permits, contact DCRA. If the construction disturbance occurs after the regular office hours, contact MPD.