



**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
GREEN BUILDING DIVISION**

**Procedures for Creating and Terminating a Binding Pledge  
Required as a Financial Security by the Green Building Act**

A property owner desiring to satisfy the financial security required for a construction project by the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code §6-1451.05, as amended, together with any implementing regulations, the “**Green Building Act**”) by executing and recording a Binding Pledge per Section 6(b) of the Green Building Act shall follow the following procedure to create and to terminate a Binding Pledge.

Two agency approvals are required for the creation and termination of a Binding Pledge (agency contacts listed below:

- 1) DCRA for technical sufficiency;
- 2) Office of the Attorney General (“OAG”) for legal sufficiency – both the forms (the attached template) and the executed Binding Pledge and Termination (Section 6(b)(2)(A) requires that the form be approved by OAG or OAG’s delegate).

Process for creating a Binding Pledge:

- 1) Owner/applicant
  - a. Obtains a MS Word version of the OAG-approved template from DCRA Green Building Division at <https://dcra.dc.gov/node/1421731>.
  - b. Submits a completed and executed template, with all required exhibits, to DCRA (Asa Foss and Esther, below) via [KRM](#) - this shall include a red-line version showing any changes made to the OAG-approved template
  - c. Provide any information or documentation required by DCRA or OAG for their respective reviews
- 2) DCRA reviews for technical sufficiency;  
once approved, DCRA will send to OAG directly for legal sufficiency review
- 3) OAG reviews the DCRA-approved Binding Pledge for legal sufficiency;  
once approved, OAG will send back to DCRA directly
- 4) DCRA notifies owner/applicant upon DCRA receipt of the OAG-approved Binding Pledge
- 5) Owner/applicant
  - a. Picks up executed, signed Binding Pledge from DCRA
  - b. Records on the Land Records at the Recorder of Deeds
  - c. Obtains from the Recorder of Deeds a certified copy of the recorded Binding Pledge
  - d. Submits the certified copy of the recorded Binding Pledge to DCRA

Process for Terminating a Binding Pledge:

- 1) Owner/applicant
  - a. Obtains a MS Word version of the OAG-approved template from DCRA Green Building Division at [buildgreendc.org](http://buildgreendc.org)
  - b. Submits a completed and executed template, with all required exhibits including the LEED Certification Review Report to DCRA (Asa Foss, below) - this shall include a red-line version showing any changes made to the OAG-approved template
  - c. Provide any information or documentation required by DCRA or OAG for their respective reviews
- 2) DCRA reviews for technical sufficiency; once approved, DCRA will
  - a. Issue a Certificate of Completion to the Owner with the LEED Certification Review Report attached; and
  - b. Send the executed and DCRA-approved Termination, to which the Certificate of Completion is an attachment, to OAG directly for legal sufficiency review
- 3) OAG reviews the DCRA-approved Termination for legal sufficiency; once approved, OAG will send back to DCRA directly
- 4) DCRA’s Director will execute the Termination
- 5) DCRA notifies owner/applicant upon DCRA receipt of the OAG-approved Binding Pledge
- 6) Owner/applicant
  - a. Picks up executed, signed Termination from DCRA.
  - b. Records on the Land Records at the Recorder of Deeds.
  - c. Obtains from the Recorder of Deeds a certified copy of the recorded Termination.
  - d. Submits the certified copy of the recorded Termination to DCRA (Asa Foss, below).

<b>Contact Person at OAG:</b>	<b>Contact Persons at DCRA:</b>	
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