



Responsibilities of an Adjacent Property Owner

The building code of DC requires a neighbor notification specifically to be filed with all permits that would affect or inadvertently affect an adjacent property. [Neighbor notification letters](#) shall be distributed prior to building permit approval. Letters shall be sent to adjacent property owners with a copy of the proposed construction documents.

Construction plans that are under review by DCRA will be held for a 30 day period after pending receipt of all required documents to the adjacent property owners. If a notification letter is received before 30 days, with approval by the adjacent property owner and submitted back to DCRA, the permit can be issued. If a notification is received before 30 days with conditional approval or a denial, the code official is authorized, but not required, to grant a reasonable extension of time so the applicant can resolve the issue. Failure to respond within the 30 days of the date of receipt, as not to impede or materially delay the applicant, the adjoining neighbor shall be deemed to have elected to make safe his, her or its premises. Form of notification includes delivering the notification letter by personal delivery, courier or express mail service along with a copy of all construction documents. Owners shall be identified by tax record or named on the "Deed of Record". [DCMR 3307.2]

Persons undertaking construction work in the District of Columbia must always be aware of their responsibility to protect adjoining premises, take appropriate safeguards and be aware of their potential liability for damage to adjoining property. [Section 3307.1 of the 2013 District of Columbia Building Code](#) states the general requirement that: Adjoining public and private property shall be protected from damage during construction, alteration, repair, demolition or raze of a premises at the expense of the person causing the work. Protection must be provided for lots, and for all elements of a building or other structure, including, but not limited to, footings, foundations, party walls, chimneys, skylights, and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition or raze activities.

[Section 3307.2 of the 2013 District of Columbia Building Code](#), which imposes specific and detailed notification requirements for Construction Work that potentially affects the structural stability of adjoining property such as excavations or where a party wall or underpinning is involved.

[Section 105.1.7 of the 2013 District of Columbia Building Code](#), which requires persons undertaking raze work to comply with specific notification requirements. The notification shall be provided to each adjoining property owner prior to commencement of work and shall be required regardless of whether the permit was issued under the Building Code, Residential Code or Existing Building Code. Adjoining property shall mean any property with a common lot line with the Construction Site. Notification is not required for Construction Work that (a) occurs entirely within the interior of a building or structure; and (b) is authorized pursuant to a postcard permit issued by DCRA.