

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2021-148**

December 27, 2021

VIA ELECTRONIC MAIL

Mr. Jonathan Cloar

RE: FOIA Appeal 2021-148

Dear Mr. Cloar:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 (“DC FOIA”), on the grounds that the Office of Tax and Revenue (“OTR”) failed to respond to your DC FOIA request.

On March 15, 2021, you submitted a request to the agency for records concerning “the inputs and processes used by OTR to produce the Tax Year 2022 real property tax assessments for commercial office buildings.” On the same date, OTR acknowledged receipt of the nine subparts of your request, including 54 subparagraphs.

You filed your appeal with this Office on April 6, 2021, because you had not received a response to your DC FOIA request. On April 23, 2021, OTR filed a response to your appeal.¹ In the response, OTR denied your request on the basis that this request is not valid under DC FOIA, its emanating regulations, and relevant case law. Since your appeal only challenged the failure of OTR to respond to your DC FOIA request and OTR has now responded to your request, we dismiss your appeal as moot. However, you may file a new appeal if you are dissatisfied with the agency’s response.

This constitutes the final decision of this Office. If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia government in the Superior Court of the District of Columbia in accordance with D.C. Official Code § 2-537.

Respectfully,

Mayor’s Office of Legal Counsel

cc: Bazil Facchina, Assistant General Counsel
OTR (via email)

¹ A copy of OTR’s response to your appeal is attached to this decision.