



DISTRICT OF COLUMBIA
BOARD OF ELECTIONS
WASHINGTON, D.C. 20003



April 25, 2023

Jamila White
Chairperson ANC 8A
8A05@anc.dc.gov

Dear Chair White:

On February 17, 2023, the DC Board of Elections received, by mail, a request for an investigation into the qualifications of Commissioner Holly Muhammad by Tom Donohue, a registered DC voter. In his letter and subsequent supplemental materials submitted March 29, 2023 and April 16, 2023, Mr. Donohue asked for an investigation on the grounds that Commissioner Muhammad does not reside in Advisory Neighborhood Commission Single Member District (ANC-SMD) 8A03 at 1915 Minnesota Ave, SE, 20020. His submitted materials (enclosed at the secure link listed below) outline his reasoning for this investigation request.

Pursuant to DC Official Code § 1- 309.06(f)(2), a vacancy in an ANC is a matter for the ANC to determine. The code specifies the ANC should hold a special meeting to consider the seat in question. The code states:

When a vacancy occurs in an Advisory Neighborhood Commission and no letter of resignation is submitted as required by paragraph (1) of this subsection, the respective Advisory Neighborhood Commission shall petition the Board, by a resolution signed by the Chairperson and the secretary of the Advisory Neighborhood Commission, to declare the vacancy. The resolution shall be considered by the Advisory Neighborhood Commission at a special Advisory Neighborhood Commission meeting called for the purpose of considering the vacancy. Prior to the special Advisory Neighborhood Commission meeting, the Advisory Neighborhood Commission shall make a good faith effort to notify, in writing, the Commissioner who is the subject of the resolution. Notice of the meeting shall be sent by certified mail, return receipt requested, to the Commissioner no later than 15 days prior to the meeting, and shall provide that the Commissioner shall have an opportunity to rebut the alleged vacancy. The resolution, accompanied by minutes of the meeting at which the resolution was adopted and a list of those attending the meeting, shall be sent to:

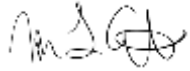
- (A) The Board of Elections;*
- (B) The Council;*
- (C) The Mayor; and*
- (D) The Commissioner, whenever the vacancy is due to removal or failure to continue the qualifications for office under § 1-309.05.*

Considering the statute, I refer this matter back to ANC 8A for deliberation at a properly noticed ANC meeting. A resolution should be issued only if the ANC determines a vacancy exists and

sent along with the meeting minutes to the proper entities.

If you have any questions, please feel free to contact me at 202-221-8570.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marissa Corrente', written in a cursive style.

Marissa Corrente
Registrar of Voters

Enclosure: Secure Link

<https://www.dropbox.com/scl/fo/pyiio5ohj0nkhd2nhscy2/h?dl=0&rlkey=tct4ydbhrfwrrss0lkpa8qjqo>

Note: If your browser is an older version, you may have trouble viewing our data files properly. The latest version of Chrome, Firefox, Safari, Microsoft Internet Explorer (10+) or an equivalent browser enabling TLS 1.2 is required.