

**IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

CLEAR SKY HOLDINGS, LLC,
Plaintiff,

v.
ESTATE OF GASTON POWELL, SR.,
ET AL.,
Defendants,

DISTRICT OF COLUMBIA,

Cross-Defendant.

CIVIL ACTION NO. 2024-CAB-002434

**(ACTION INVOLVING REAL
PROPERTY)**

FORECLOSURE/TAX SALE JUDGE

**DEFENDANT JUANITA POWELL'S ANSWER, COUNTERCLAIMS,
AND CROSS CLAIMS AGAINST THE DISTRICT OF COLUMBIA
[DEMAND FOR JURY TRIAL]**

Defendant JUANITA POWELL, as personal representative for the ESTATE OF GASTON POWELL, JR. ("Mrs. Powell"), responds to the Amended Complaint filed by Plaintiff CLEAR SKY HOLDINGS, LLC, as follows.

INTRODUCTION

Plaintiff Clear Sky Holdings, LLC, claims to have purchased an interest in the Powell Family home via a tax lien sale held by the Cross-Defendant District of Columbia. Rather than merely collect what it is purportedly owed in taxes, penalties, interest, and allowable costs, Clear Sky Holdings, LLC, with assistance from the District of Columbia, is asking this Court to give it an unconstitutional remedy: absolute title to the Powell Family Property *and* to extinguish the heirs' constitutionally protected interest in the equity in the Property, which is assessed at \$713,280. Adding to the constitutional violations, the District of Columbia is simultaneously imposing unconstitutionally excessive fines on the property that

include exorbitant Vacant and Blighted Property Taxes of approximately \$71,000 per year (approximately \$65,000 per year more than it would be taxed as a regular residential property), as well as interest and penalties on those impossibly high amounts. All of this has been accomplished with notice that fails to satisfy the Due Process Clause.

Through this Answer, Counterclaims, and Cross Claims, Mrs. Powell seeks to assert her constitutionally protected private property right in the value of her family's home in excess of any valid taxes, penalties, interest, and fees; to ensure that she may maintain her constitutional claims after any foreclosure; to limit the collateral damage; and to protect the power of the court to decide these issues before the amount she owes exceeds the likely amount of equity remaining in her family's home because of the burgeoning interest and penalties imposed by the government. Mrs. Powell does not contest the foreclosure and does not seek to delay or stop it if this Court finds the tax certificate to be legally valid. Every 15 days of delay before the foreclosure causes the interest and penalties to increase the debt by approximately \$1,000. *See* Exhibit A. And the second half of 2025 will increase the liability by an estimated \$35,600, plus the subsequently accruing interest, penalties, and fees on the total debt. *See id.*

Through this pleading, Mrs. Powell seeks to defend and vindicate the Estate of Gaston Powell, Jr.'s constitutional rights.

AFFIRMATIVE DEFENSES

First Defense

Plaintiff seeks to obtain absolute title to the Property and retain all equity therein, above and beyond any debt owed, without just compensation, in violation of the Takings Clause of the Fifth Amendment to the United States Constitution.

Second Defense

The forfeiture of the entire Property—including any surplus equity—over and above the taxes owed constitutes an unconstitutionally excessive fine under the Eighth Amendment to the United States Constitution.

Third Defense

The interest, penalties, and/or the vacant and blighted property taxes in excess of the ordinary residential property taxes in this case constitute an unconstitutionally excessive fine under the Eighth Amendment to the United States Constitution.

Fourth Defense

Plaintiff and/or the Cross-Defendant District of Columbia failed to provide sufficient notice or opportunity to redeem, or otherwise provide Mrs. Powell with reasonable opportunities to avoid the continued growth of the penalties, interest, fees, and vacant and blighted property taxes.

Fifth Defense

Defendant pleads all affirmative defenses set forth in D.C. Code § 47-1376 including as follows: some portion of the real property taxes at issue in this case are invalid.

Sixth Defense

Defendant hereby reserves the right to assert those defenses which may become known as a result of discovery and investigation of this matter.

ADMISSIONS AND DENIALS

In answer to the specific allegations set forth in the numbered paragraphs of the Complaint, Defendant states as follows:

JURISDICTION

1. Defendant admits that the Court has jurisdiction over foreclosure actions under D.C. Code § 11-921 and § 47-1330 *et seq.*, but denies that Plaintiff is entitled to the full relief sought.

PARTIES

2. Defendant is without sufficient knowledge or information to admit or deny the allegations concerning Plaintiff's status as the holder of the Certificate of Sale for the property described as Square: 4069 Lot: 0008, which may also be known as 1304 Florida Ave., NE, Washington, D.C. Defendant also lacks sufficient information about the details in Exhibit 1 to admit or deny the information contained therein.

3. Defendant admits that Gaston Powell and Mattie Bell Powell (both deceased) are record owners of the subject property. Defendant is without sufficient knowledge or information to admit or deny the legal conclusions regarding ownership succession and interests.

4. Defendant is without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 4 of Plaintiff's Amended Complaint.

FACTS

5. Admitted.

6. Defendant is without sufficient knowledge or information to admit or deny the accuracy of Plaintiff's certification regarding title examination and bankruptcy searches.

7. The assessment and taxation records of the government of the District of Columbia speak for themselves and are the best evidence of their contents. Defendant denies that the government of the District of Columbia's "Class 3 – Vacant" and "Class 4 – Blighted" designations for the subject real property were and are proper.

8. Admitted.

9. Defendant is without sufficient knowledge or information to admit or deny the alleged pre-complaint posting under § 47-1353.01.

10. Admitted.

11. Defendant denies that Defendant Mrs. Powell's remaining interest in the property is subject to Plaintiff's Certificate and avers that any enforcement is subject to constitutional limitations.

12. Defendant admits that some amount of taxes are owed, but denies that the full sum of \$41,733.02, as of September 30, 2022, plus subsequently accrued vacant and blighted property taxes (and penalties, interest, and expenses on those amounts) are lawfully due and denies that Plaintiff is entitled to any surplus equity.

13. Defendant is without sufficient knowledge or information to admit or deny the allegations in this paragraph.

14. Defendant is without sufficient knowledge or information to admit or deny the allegations in this paragraph.

15. Any and all claims or allegations contained in Plaintiff's Amended Complaint not otherwise expressly admitted or denied herein are hereby denied.

COUNTERCLAIMS AND CROSS CLAIMS

Defendant Juanita Powell, by way of counterclaims against Plaintiff CLEAR SKY HOLDINGS, LLC, and cross claims against the DISTRICT OF COLUMBIA, states:

1. This case involves the Powell Family's longtime home at 1304 Florida Avenue, NE, Washington, D.C., which was built in the early 1900s and has been in the Powell Family for nearly a century.

2. Gaston Powell, Sr. and his wife, Mattie Bell Powell, purchased the house many decades ago and raised their 11 children there.

3. Two of the Powells' children passed away young, before they had any children of their own.

4. Mattie Bell Powell passed away in 1995.

5. Gaston Powell, Sr. stayed in the home until he passed away in 2000.

6. When Gaston Powell, Sr. passed away, his eldest son Gaston Powell, Jr. took responsibility for his father's estate as representative for the estate and as an heir, and he ensured that the property taxes on the home were paid until around the time Gaston Powell, Jr. suffered some severe medical problems beginning around 2020.

7. Gaston Powell, Jr.'s brother, a co-heir, Albert Powell, lived in the property until he passed away around 2020.

8. Gaston Powell, Jr. paid for his brother Albert's funeral.

9. After Albert passed away, Gaston Powell, Jr. and his remaining siblings—who were all aging—struggled with managing the Property, especially during the COVID-19 pandemic. They had hoped to keep the Property in the family.

10. Gaston Powell, Jr.'s health began to deteriorate further as he suffered from cancer and, later, a stroke. He became bedridden and his health severely deteriorated.

11. Large medical bills swallowed up Mrs. Powell's and her husband's resources.

12. With the help of her children, Mrs. Powell did her best to care for her husband, Gaston, Jr. during this time. But she and her children were unaware of what was happening with the Property.

13. Mrs. Powell believed that one of Gaston's two surviving siblings, Rudolph Powell, would take over managing the Property.

14. And publicly available tax bills available on the District of Columbia's website suggest that Rudolph ensured \$44,082 in property taxes were paid for the tax years 2020 and 2021. *See* Exhibit A at 5. But unfortunately, this was not enough to keep up with the shockingly punitive taxes imposed on the Property beginning in the second half of 2020.

15. In the second half of 2020, during the global COVID-19 pandemic, after Albert Powell's passing, the District reclassified the property from "1 – Residential" to "3 – Vacant" under D.C. Code § 47-813, causing a jump in property taxes from \$0.85 per \$100 of assessed property value to \$5 per \$100 of assessed property value. For the Powell Family home, which was assessed that year at \$587,830, that meant the annual taxes jumped from almost \$5,000 per year to over \$30,000 per year. *See* Exhibit B.

16. In October 2022, Gaston Powell, Jr. passed away.

17. Gaston Powell, Jr.'s widow, Mrs. Juanita Powell, is 85 years old.

18. Mrs. Powell is the personal representative of the Estate of Gaston Powell, Jr.

19. Mrs. Powell and Gaston Powell, Jr. had three children.

20. According to Plaintiff Clear Sky Holdings, LLC, on or around July 19, 2023, the District of Columbia sold a certificate of sale—a tax lien—on the Property at a tax lien auction under D.C. Code § 47-1345, transferring to Plaintiff Clear Sky Holdings the right to collect the tax debt with interest at a rate of 1.5% per month (18% per year), plus expenses. *See* D.C. Code §§ 47-1334, -1377.

21. According to Exhibit 1 to Plaintiff's Amended Complaint, the total amount of taxes due through September 20, 2022, was \$32,552, with penalties, interest, and tax sale fees of \$9,181.03—a total debt of \$41,733.03. The District of Columbia sold the tax lien at a profit for a total of \$84,733.03.

22. The certificate does not give the purchaser title or a right to possess the property. *See* D.C. Code § 47-1363. Instead, if the property owner does not pay the delinquent taxes, penalties, interest, and fees within six months after the sale of the tax lien certificate, then the holder of the certificate may file a foreclosure action within one year of the sale. D.C. Code §§ 47-1355, -1370. Title transfers to the purchaser only if the purchaser obtains a judgment of foreclosure and the owner does not live in the property and qualify for protection under § 47-1382.01.

23. In the second half of 2024, the District of Columbia reclassified the Property as “4 – Blighted” which again caused the tax burden to balloon dramatically (doubling to \$10 per \$100 assessed property value). *See* D.C. Code § 47-812; Exhibits B–C.

24. Mrs. Powell was not given notice about the increased taxes in the vacant and blighted designations or of the tax certificate sale prior to the sale.

25. When Mrs. Powell heard about the tax sale from Clear Sky Holdings, LLC, and her family looked into the tax sale, they believed that the tax sale meant the Powell Family home was gone, and so she did not contest or otherwise seek an exemption to the District’s “4 – Blighted” designation. *See* Exhibit 2 to Plaintiff’s Amended Complaint.

26. Despite the language quoted above, and unbeknownst to Defendant, title to the Property still belonged to the Powell heirs.

27. By September 17, 2024, the tax debt on the Powell Family home skyrocketed from approximately \$41,000 to \$182,092.99, an increase of over 341 percent in just two years. *See Exhibit C.*

28. As of May 16, 2025, the outstanding debt has now reached \$231,112.39. *See Exhibit A.*

29. D.C. law permits homeowners to redeem properties sold at tax sales by paying off the debt within six months. *See D.C. Code §§ 47-1360, -1361.*

30. The extreme financial burden created by the city's unfair tax scheme makes redemption utterly impossible for the Powell Family.

31. The shockingly high tax and interest rates imposed on the property, and the Ordinance's unconstitutional threat of allowing a total confiscation of Mrs. Powell's Property made it too expensive for the Powell Family to afford paying the debt *and* repairing the property and ending the "blight" status. Unless they can repair the property, they cannot rent it out. Thus, the city's unconstitutional tax code had the exact opposite effect of motivating owners to repair their property and ensure it is not vacant.

32. As of March 7, 2025, the District of Columbia assesses the Property at \$713,280. *See Exhibit A.*

33. The Property is worth far more than the total taxes, penalties, interest, fees, and allowable expenses owed for the property.

JURISDICTION

34. This Court has jurisdiction over these counter claims and cross claims pursuant to D.C. Code §11-921.

PARTIES

35. Mrs. Powell is the personal representative of the Estate of Gaston Powell, Jr. and the widow of Mr. Gaston Powell, Jr.

36. Clear Sky Holdings, LLC, is the plaintiff in this case and the defendant to Counts I, II, and III listed below.

37. The District of Columbia is a municipality of the federal government, a named defendant in the complaint filed by Clear Sky Holdings, LLC, and a cross defendant to Counts I, II, and III listed below.

COUNT I – VIOLATION OF THE TAKINGS CLAUSE (Fifth Amendment and 42 U.S.C. 1983)

38. Mrs. Powell incorporates by reference paragraphs 1–37.

39. According to 42 U.S.C. § 1983, “Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress”

40. The Estate of Gaston Powell, Jr. is a “person” protected by 42 U.S.C. § 1983.

41. The District of Columbia is a “person” and at all times relevant herein acted under color of the District of Columbia’s law within the meaning of those terms in 42 U.S.C. § 1983.

42. Plaintiff Clear Sky Holdings, LLC, is a “person” and at all times relevant herein acted under color of the law within the meaning of those terms in 42 U.S.C. § 1983.

43. The heirs who inherited the Property are not occupying the Property, and therefore D.C. Code §47-1382.01 does not provide for a post-foreclosure sale of the property or distribution of any surplus proceeds to any of the rightful owners.

44. The Property is worth more than the total tax debt, including all taxes, penalties, interest, and fees.

45. Mrs. Powell has a constitutionally protected property interest in the surplus value of the Property that exceeds the total tax debt, as recognized by the Supreme Court in *Tyler v. Hennepin County*, 598 U.S. 631 (2023).

46. The Plaintiff seeks to acquire fee simple title to the Property.

47. The Plaintiff expressly seeks the confiscation of complete title without any payment to Mrs. Powell for the value of the property that exceeds the taxes, penalties, interest, fees, and costs owed. *See* Plaintiff’s Amended Complaint at G (asking the Court to “vest[] in the Plaintiff absolute and indefeasible title, one hundred percent fee simple, in and to the real property, [and] bar[] all rights of redemption and *claims to any equity* in the Property”) (emphasis added).

48. The Cross-Defendant District of Columbia does not intend to pay Mrs. Powell or any of the heirs for the Plaintiff’s intended confiscation of the surplus value of the Property.

49. D.C.'s Code fails to provide any mechanism for Mrs. Powell to obtain payment for the surplus value of the Estate of Gaston Powell, Jr.'s property.

50. The foreclosure action here, without a mechanism to remit surplus equity to Mrs. Powell, violates the Takings Clause of the Fifth Amendment.

51. By selling the tax lien and failing to comply with Supreme Court precedent, the District of Columbia is jointly participating in the unconstitutional taking of the Estate of Powell's private property.

52. As a proximate result of this unconstitutional taking, Defendant will suffer the loss of valuable property and equity.

53. The District of Columbia's confiscatory tax foreclosure law is unconstitutional because it authorizes the taking of private property for a public use without just compensation.

54. In the alternative, the confiscatory tax foreclosure law is unconstitutional, as applied here, because it authorizes the taking of private property—surplus equity—from the Estate of Gaston Powell, Jr., and gives it to another private party—Plaintiff Clear Sky Holding, LLC—for the benefit of that private party, violating the “public use” limitation on takings.

**COUNT II – VIOLATION OF THE EXCESSIVE FINES CLAUSE
(Eighth Amendment and 42 U.S.C. § 1983)**

55. Defendant incorporates by reference paragraphs 1–42.

56. The debt owed on the Property, including the additional taxes, interest, and penalties arising from its classification as “3 – Vacant” and “4 – Blighted” is approximately \$232,000, as of May 16, 2025.

57. The Property's market value substantially exceeds that amount.

58. The forfeiture of the entire Property—including all equity exceeding the tax debt—constitutes an economic sanction that is at least partially punitive and therefore is a “fine” within the meaning of the Excessive Fines Clause.

59. The forfeiture of the entire property is an economic sanction that is grossly disproportionate to the offense (i.e., nonpayment of property taxes), and therefore is an excessive fine under the Eighth Amendment.

60. The District of Columbia's Vacant and Blighted Property Tax that exceeds the ordinary tax rate for non-vacant and non-blighted property that has been imposed on the property here is not a tax—it is a penalty.

61. The penalty imposed by the Vacant and Blighted Property Tax is a “fine” within the meaning of the Excessive Fines Clause.

62. The Vacant and Blighted Property Taxes imposed on the property are grossly disproportionate to any harm caused by the property's vacancy and need for repairs.

63. The taxes imposed because the property is deemed Vacant and Blighted Property are \$71,328, *before interest, penalties, and fees*. By contrast, if the property were taxed like ordinary (non-vacant, non-blighted) residential property, the annual tax would be \$6,062.

64. The Vacant and Blighted Property Taxes imposed on the property are an excessive fine in violation of the Eighth Amendment.

65. The penalties and the 18% interest imposed on the taxes are at least partly punitive and therefore a fine within the meaning of the Excessive Fines Clause. The total penalties and interest imposed on the Property from 2020 through March 7, 2025, listed on the most recent tax bill amounts to almost \$60,000 (\$16,151.71 in penalties and \$43,843.44 in interest). *See* Exhibit A.

66. The penalties and 18% interest rate imposed on the tardy property taxes are grossly disproportionate to any harm caused by the delay in payment on the tax.

67. The 18% interest rate imposed on the tardy property taxes greatly exceeds the rate the District of Columbia itself pays or requires in other analogous contexts to cover the cost of a delayed payment.

68. Both Clear Sky Holdings and the District of Columbia are involved in imposing the 18% interest rate on the tardy taxes and both are liable as state actors.

69. Defendant Mrs. Powell has been harmed by this unconstitutional forfeiture.

**COUNT III -VIOLATION OF DUE PROCESS
(Fifth Amendment and 42 U.S.C. § 1983)**

70. Mrs. Powell incorporates by reference paragraphs 1–42.

71. Due process requires notice that, under the circumstances, is reasonably calculated to apprise parties of actions that would deprive them of their constitutionally protected property interests.

72. Under the District of Columbia Code, a tax certificate sells only a lien with the right to collect the debt at 18% interest plus attorney fees, and a *future contingent* interest in potentially taking more from the debtor than what is owed by

foreclosing and taking absolute title. *See* D.C. Code §§ 47-1363, -1355, -1370, -1382.01.

73. The tax certificate does not transfer a right to possess the property, nor does it convey fee simple title.

74. Yet notices prior to and following the tax lien sale cause average property owners to believe that title to the property has been sold.

75. For example, prior to the tax lien sale, the D.C. Mayor sends notice that under D.C. Code § 47-1341, there will be a “tax sale” and that failure to pay the tax debt “will have consequences which may include loss of title.” Likewise, D.C. Code § 47-1353.01 requires the mayor to send notice after the tax lien sale that states at the top, “YOUR PROPERTY WAS SOLD AT TAX SALE.” The notice in Exhibit 2 to Plaintiff’s Amended Complaint, which the Plaintiff claims was posted on the property, included the same language. While these notices later warn that the owner has a right to “redeem” the property and that failure to do so could result in the owner “los[ing] title,” they all fail to state that the Powell Family *still holds title to the property* and has a right to pay those debts by selling the property prior to foreclosure.

76. The notice provided by the District of Columbia and Plaintiff, stating “YOUR PROPERTY WAS SOLD AT TAX SALE,” caused Mrs. Powell and her family to believe that her family had already lost title to the property.

77. If Mrs. Powell had been provided with accurate and non-misleading notice, she would have promptly tried to sell the property.

78. With its misleading notice that failed to accurately apprise Defendant of her rights, the Plaintiff and the Cross-Defendant District of Columbia violated the Powell Estate's rights to procedural due process.

PRAYER FOR RELIEF

WHEREFORE, Defendant Mrs. Powell respectfully requests that this Court enter an order awarding Defendant:

1. A declaration that the District of Columbia's tax foreclosure statutes as applied here violate the Takings Clause.
2. A declaration that Plaintiff and the Cross-Defendant District of Columbia violated the Powell Estate's rights to procedural due process.
3. A declaration that that the Vacant and Blighted Property Taxes, and other penalties and interest imposed on the Property constitute an excessive fine in violation of the Eighth Amendment.
4. A refund of any excessive fine paid and cancellation of any excessive fine assessed but not yet paid.
5. Just compensation in an amount equal to the fair market value of the Property minus the lawful tax debt, interest, and costs or an order that the parties cooperate to sell the property and that the surplus proceeds be returned to the Estate and heirs, consistent with *Tyler*.
6. Monetary damages and/or an order of restitution of surplus value, attorneys' fees pursuant to 42 U.S.C. § 1988, and other relief deemed just and proper.

JURY DEMAND

Defendant demands a trial by jury on all issues so triable.

Dated: May 22, 2025.

Respectfully submitted,

/s/ Kimberly Fahrenholz, Esq.
Kimberly Fahrenholz, #501175
FAHRENHOLZ & HORRELL LLP
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jotalcott@pacificlegal.org

*Counsel for Juanita Powell,
Personal Representative to the Estate of
Gaston Powell, Sr.*

**pro hac vice motions forthcoming*

CERTIFICATE OF SERVICE

I hereby certify that on this the 22nd day of May 2025, I served this document via the Court's electronic filing system to the Plaintiff:

Seth P. Slomovitz,
1025 Connecticut Avenue, NW, Suite 615
Washington, D.C. 20036
seth@sayleslegal.com

/s/ Kimberly Fahrenholz
Kimberly Fahrenholz

EXHIBIT A

Government of the District of Columbia
Office of the Chief Financial Officer
Office of Tax and Revenue
1101 4th Street, SW
Washington, DC 20024



RUDOLPH POWELL
GASTON POWELL & MATTIE B. POWELL
4911 RUSSELL AVE
HYATTSVILLE MD 20782-3312

Below are instructions for individuals with limited English Proficiency who need assistance. All others please turn to the next page for important information from the Office of Tax and Revenue.



Language
Assistance

Si necesita ayuda en Español, por favor llame al **(202) 727-4829** para proporcionarle un intérprete **de manera gratuita**.

Nếu quý vị cần giúp đỡ về tiếng Việt, xin gọi **(202) 727-4829** để chúng tôi thu xếp có thông dịch viên đến giúp quý vị **miễn phí**.

Si vous avez besoin d'aide en Français appelez-le **(202) 727-4829** et l'assistance d'un interprète vous sera **fournie gratuitement**.

በአማርኛ ቋንቋ ስረዳት በ **(202) 727-4829** ይደውሉ። የሃገሪቅ ቋንቋ ይመደብልዎታል።

한국어로 언어 지원이 필요하신 경우 **(202) 727-4829** 로 연락을 주시면 **무료로** 통역이 제공됩니다.

如果您需要用(中文)接受幫助，請電洽 **(202) 727-4829** 將**免費**向您提供口譯員服務。

Office of the Chief Financial Officer
Office of Tax & Revenue
Customer Service Administration
1101 4th Street, SW Suite W270
Washington, DC 20024



Government of the District of Columbia
Office of the Chief Financial Officer
Office of Tax and Revenue

1101 4th Street, SW
Washington, DC 20024

Date of Notice: March 7, 2025

Notice Number: L0013799399

PROPERTY TAX BILL

Square	Suffix	Lot	Property Address				Bill Year	Assessment
4069		0008	1304 FLORIDA AVE NE				2025	\$713,280
Description			Class	Tax	Penalty	Interest	Credit	Total
2025 First Half Tax			4	\$35,664.00	\$0.00	\$0.00	\$0.00	\$35,664.00
Prior Liabilities *See Last Page				\$167,763.50	\$16,151.71	\$43,843.44	-\$44,082.73	\$185,569.49
Total				\$203,427.50	\$16,151.71	\$43,843.44	-\$44,082.73	\$221,233.49
Amount Due By March 15, 2025								\$221,233.49
Amount Due By March 31, 2025								\$222,206.47

Additional Information

(Please see reverse side for important information.)

- Real Property Tax is based on the Taxable Assessment of \$713,280.00 at a rate of Class 4. Estimated annual tax amount \$71,328.00.
- 21.20% of your Tax Year 2025 Real Property Tax is used to pay the General Obligation Bonds debt service requirement.
- Properties sold at tax sale owe the additional Tax Sale Interest Adjustment.

Forecasted Amounts for Late Payments

If paid by:	Apr 1, 2025	Amount Due	\$227,469.65	If paid by:	May 1, 2025	Amount Due	\$230,139.41
If paid by:	Apr 16, 2025	Amount Due	\$228,442.63	If paid by:	May 16, 2025	Amount Due	\$231,112.39

----- RETURN THIS PORTION WITH YOUR REMITTANCE AND/OR CORRESPONDENCE -----

RUDOLPH POWELL
GASTON POWELL & MATTIE B. POWELL
4911 RUSSELL AVE
HYATTSVILLE MD 20782-3312

Media Number: 1387953
Notice Number: L0013799399
Tax Type: Real Property Tax
Account ID: 700-001368232
SSL: 4069- 0008
Due Date: 31-Mar-2025
Amount Due: \$222,206.47

OFFICE OF TAX AND REVENUE
DC GOVERNMENT REAL PROPERTY
TAXES
P.O. BOX 718095
PHILADELPHIA, PA 19171-8095

Amount
Enclosed:

\$, , .

Make check or money order payable to: DC TREASURER
Please use the enclosed envelope and include your SSL
and tax type on your payment

4069XXXX00080100000000138795370000136823200222206476

TAX BILL INFORMATION

PAYMENTS:

The real property tax payment due date for this tax bill is displayed on the reverse side within the tax liability table. If the due date falls on a weekend or holiday, the payment will be due the next business day.

Pay Online

Make a secure **ACH** or **Credit Card** payment through the *MyTax.DC.gov* online portal:

1. From the *MyTax.DC.gov* homepage, click on the "Make a Real Property Payment" link and enter the Square, Suffix, Lot number, or Street Address.
2. Select the desired payment method (ACH or Credit Card).
3. Select the tax account for which you would like to make a payment.
4. Enter the appropriate information and submit the payment.
5. Retain the confirmation number for your records.

Pay by Check

1. Make your check payable to the "DC Treasurer."
2. To ensure your payment is recorded accurately, you **must** write your **Square, Suffix, Lot (SSL) number** on your check or money order.
3. If you are submitting payments for more than one property, you **must** include separate checks for each payment voucher.
4. Mail your check with the voucher at the bottom of this notice to: Office of Tax and Revenue DC Government Real Property Taxes, P.O. Box 718095, Philadelphia, PA 19171-8095.
Payments must be received at that address by the due date to be credited as timely. The District cannot be responsible for delays in the mail.

Please note: OTR accepts MasterCard, Visa, American Express, and Discover cards for credit card payments made online. There is a 2.5 percent non-refundable convenience fee, charged by the processor, when making a credit card payment. The convenience fee does not apply to ACH payments. Also, the credit card payment amount is not to exceed \$100,000.00 (inclusive of 2.5 percent non-refundable convenience fee) per transaction and is limited to a maximum of two (2) transactions per month.

TAX SALE:

Properties delinquent in the payment of real property tax, BID tax, vault rent, special assessments, or other certified liens may be subject to sale at the District's annual tax sale.

PENALTY, INTEREST, AND FEES:

The law provides that if your real property and/or BID tax is not paid in full by the due date on the tax bill, the Office of Tax and Revenue **must** charge a penalty equal to 10% of the delinquent tax, as well as interest at the rate of 1.5% per month (or part thereof) until paid in full. Furthermore, a \$65 fee will be assessed for each dishonored payment. Waiver requests can be submitted via *MyTax.DC.gov* for consideration.

BILL QUESTIONS:

For assistance with billing related inquiries as well as *MyTax.DC.gov*, please contact our e-Services Unit at (202) 759-1946 or email e-services.otr@dc.gov, 8:15 am to 5:30 pm, Monday through Friday. For assistance with property classification III (3) and IV (4), please contact the Office of Residential Inspection Unit of the Department of Building at (202) 671-3500 or email vacantbuildings@dc.gov.

TAX RATES: (Effective 10/01/2024)

Class	Tax Rate per \$100	Description
1A	\$0.85	Residential real property, including multifamily
1B	\$0.85/\$1.00	Residential real property with no more than 2 dwelling units, where first \$2.5M is taxed at the lower rate and the amount above \$2.5M is taxed at the higher rate
2	\$1.65	Commercial and industrial real property, including hotels and motels, if assessed value is not greater than \$5 million
2	\$1.77	Commercial and industrial real property, including hotels and motels, if assessed value is greater than \$5 million but not greater than \$10 million
2	\$1.89	Commercial and industrial real property, including hotels and motels, if assessed value is greater than \$10 million
3	\$5.00	Vacant real property
4	\$10.00	Blighted real property



Government of the District of Columbia
Office of the Chief Financial Officer
Office of Tax and Revenue

1101 4th Street, SW
Washington, DC 20024

Notice Number: L0013799399

OUTSTANDING LIABILITIES

Description	Class	Tax	Penalty	Interest	Credit	Total
2025 First Half Tax	4	\$35,664.00	\$0.00	\$0.00	\$0.00	\$35,664.00
2024 Tax	3 & 4	\$54,176.25	\$5,417.63	\$6,501.12	\$0.00	\$66,095.00
2023 Tax	3	\$35,325.50	\$3,532.56	\$11,127.48	\$0.00	\$49,985.54
2022 Tax Sale Fee		\$0.00	\$0.00	\$0.00	\$0.00	\$200.00
2022 Tax Sale PCLE Fee		\$0.00	\$0.00	\$0.00	\$0.00	\$381.50
2022 Tax Sale Tax	3	\$32,552.00	\$3,255.20	\$16,113.24	-\$865.95	\$51,054.49
2022 Tax Sale Interest Adjustment		\$0.00	\$0.00	\$2,998.54	\$0.00	\$2,998.54
2021 Tax	3	\$31,014.00	\$2,837.78	\$4,442.58	-\$38,294.36	\$0.00
2021 Cross Period Offset		\$0.00	\$0.00	\$0.00	-\$1,312.07	\$0.00
2020 Tax	3	\$14,695.75	\$1,108.54	\$2,660.48	-\$3,610.35	\$14,854.42
Total		\$203,427.50	\$16,151.71	\$43,843.44	-\$44,082.73	\$221,233.49
Amount Due By March 15, 2025						\$221,233.49
Amount Due By March 31, 2025						\$222,206.47



EXHIBIT B



MyTax DC

[< Home](#)

Property Details

[> Make a Payment](#)

SSL : 4069- -0008

Balance Due : \$230,139.

Premise Address : 1304 FLORIDA AVE NE WASHINGTON DC 20002

[Details](#)[Assessment](#)[Tax Information](#)[Map](#)[Applications and Actions](#)

Assessment Information

Tax Type : Taxable

Land Area : 3,366

Tax Class : 4 - Blighted

Appraiser : Clarence Galloway

Assessment Values

[Help](#)

2026



Half	Class	Land Value	Building Value	Assessment Value	Total Taxable	Tax Relief
	Propose 4 - Bligh	\$512,780.00	\$199,310.00	\$712,090.00	\$712,090.00	None
	Propose 4 - Bligh	\$512,780.00	\$199,310.00	\$712,090.00	\$712,090.00	None

2025

Half	Class	Land Value	Building Value	Assessment Value	Total Taxable	Tax Relief
	Second 4 - Bligh	\$510,220.00	\$203,060.00	\$713,280.00	\$713,280.00	None
	First Hal 4 - Bligh	\$510,220.00	\$203,060.00	\$713,280.00	\$713,280.00	None

2024

Half	Class	Land Value	Building Value	Assessment Value	Total Taxable	Tax Relief
	Second 4 - Bligh	\$507,660.00	\$214,690.00	\$722,350.00	\$722,350.00	None
	First Hal 3 - Vacat	\$507,660.00	\$214,690.00	\$722,350.00	\$722,350.00	None

2023

Half	Class	Land Value	Building Value	Assessment Value	Total Taxable	Tax Relief
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Second	3 - Vacat	\$496,550.00	\$209,960.00	\$706,510.00	\$706,510.00	None
First Hal	3 - Vacat	\$496,550.00	\$209,960.00	\$706,510.00	\$706,510.00	None

2022

Half	Class	Land Value	Building Value	Assessment Value	Total Taxable	Tax Relief
Second	3 - Vacat	\$454,280.00	\$196,760.00	\$651,040.00	\$651,040.00	None
First Hal	3 - Vacat	\$454,280.00	\$196,760.00	\$651,040.00	\$651,040.00	None

2021

Half	Class	Land Value	Building Value	Assessment Value	Total Taxable	Tax Relief
Second	3 - Vacat	\$438,350.00	\$181,930.00	\$620,280.00	\$620,280.00	None
First Hal	3 - Vacat	\$438,350.00	\$181,930.00	\$620,280.00	\$620,280.00	None

2020

Half	Class	Land Value	Building Value	Assessment Value	Total Taxable	Tax Relief
Second	3 - Vacat	\$410,820.00	\$177,010.00	\$587,830.00	\$587,830.00	None



First Hal	1 - Resic	\$410,820.00	\$177,010.00	\$587,830.00	\$587,830.00	None
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2019

Half	Class	Land Value	Building Value	Assessment Value	Total Taxable	Tax Relief
Second	1 - Resic	\$370,230.00	\$166,730.00	\$536,960.00	\$536,960.00	None
First Hal	1 - Resic	\$370,230.00	\$166,730.00	\$536,960.00	\$536,960.00	None

2018

Half	Class	Land Value	Building Value	Assessment Value	Total Taxable	Tax Relief
Second	1 - Resic	\$329,030.00	\$144,800.00	\$473,830.00	\$473,830.00	None
First Hal	1 - Resic	\$329,030.00	\$144,800.00	\$473,830.00	\$473,830.00	None

For more historical data, please contact OTR Customer Service at (202) 727-4TAX.





EXHIBIT C

Government of the District of Columbia
Office of the Chief Financial Officer
Office of Tax and Revenue
1101 4th Street, SW
Washington, DC 20024



RUDOLPH POWELL
GASTON POWELL & MATTIE B. POWELL
4911 RUSSELL AVE
HYATTSVILLE MD 20782-3312

Below are instructions for individuals with limited English Proficiency who need assistance. All others please turn to the next page for important information from the Office of Tax and Revenue.



Language
Assistance

Si necesita ayuda en Español, por favor llame al **(202) 727-4829** para proporcionarle un intérprete **de manera gratuita**.

Nếu quý vị cần giúp đỡ về tiếng Việt, xin gọi **(202) 727-4829** để chúng tôi thu xếp có thông dịch viên đến giúp quý vị **miễn phí**.

Si vous avez besoin d'aide en Français appelez-le **(202) 727-4829** et l'assistance d'un interprète vous sera **fournie gratuitement**.

በአማርኛ አርዳታ ከፈለጉ በ **(202) 727-4829** ይደውሉ። የነፃ አስተርጓሚ ይመደብልዎታል።

한국어로 언어 지원이 필요하신 경우 **(202) 727-4829** 로 연락을 주시면 **무료로** 통역이 제공됩니다.

如果您需要用(中文)接受幫助，請電洽 **(202) 727-4829** 將**免費**向您提供口譯員服務。

Office of the Chief Financial Officer
Office of Tax & Revenue
Customer Service Administration
1101 4th Street, SW Suite W270
Washington, DC 20024



Government of the District of Columbia
Office of the Chief Financial Officer
Office of Tax and Revenue

1101 4th Street, SW
Washington, DC 20024

Date of Notice: August 2, 2024

Notice Number: L0012435743

PROPERTY TAX BILL

Square	Suffix	Lot	Property Address				Bill Year	Assessment
4069		0008	1304 FLORIDA AVE NE				2024	\$722,350
Description			Class	Tax	Penalty	Interest	Credit	Total
2024 Second Half Tax			4	\$36,117.50	\$0.00	\$0.00	\$0.00	\$36,117.50
2024 First Half Tax			3	\$18,058.75	\$1,805.88	\$1,354.40	\$0.00	\$21,219.03
Prior Liabilities *See Last Page				\$113,587.25	\$10,845.29	\$36,301.95	-\$42,970.66	\$118,545.33
Total				\$167,763.50	\$12,651.17	\$37,656.35	-\$42,970.66	\$175,881.86
Amount Due By August 31, 2024								\$176,329.76
Amount Due By September 15, 2024								\$177,491.58

Additional Information (Please see reverse side for important information.)

- Real Property Tax is based on the Taxable Assessment of \$722,350.00 at a rate of \$10 per \$100. Estimated annual tax amount \$72,235.00.
- 20% of your Tax Year 2024 Real Property Tax is used to pay the General Obligation Bonds debt service requirement.
- Properties sold at tax sale owe the additional Tax Sale Interest Adjustment.

Forecasted Amounts for Late Payments

If paid by:	Sep 16, 2024	Amount Due	\$177,939.48	If paid by:	Oct 1, 2024	Amount Due	\$183,254.81
If paid by:	Sep 17, 2024	Amount Due	\$182,092.99	If paid by:	Oct 16, 2024	Amount Due	\$184,244.47

----- RETURN THIS PORTION WITH YOUR REMITTANCE AND/OR CORRESPONDENCE -----

RUDOLPH POWELL
GASTON POWELL & MATTIE B. POWELL
4911 RUSSELL AVE
HYATTSVILLE MD 20782-3312

Media Number: 154970872
Notice Number: L0012435743
Tax Type: Real Property Tax
Account ID: 700-001368232
SSL: 4069- -0008
Due Date: 15-Sep-2024
Amount Due: \$177,491.58

OFFICE OF TAX AND REVENUE
DC GOVERNMENT REAL PROPERTY
TAXES
P.O. BOX 718095
PHILADELPHIA, PA 19171-8095

Amount
Enclosed:

\$, , .

Make check or money order payable to: DC TREASURER
Please use the enclosed envelope and include your SSL
and tax type on your payment

4069XXXX0008015497087270000136823200177491588

TAX BILL INFORMATION

PAYMENTS:

The real property tax payment due date for this tax bill is displayed on the reverse side within the tax liability table. If the due date falls on a weekend or holiday, the payment will be due the next business day.

Pay Online

Make a secure **ACH** or **Credit Card** payment through the *MyTax.DC.gov* online portal:

1. From the *MyTax.DC.gov* homepage, click on the "Make a Real Property Payment" link and enter the Square, Suffix, Lot number, or Street Address.
2. Select the desired payment method (ACH or Credit Card).
3. Select the tax account for which you would like to make a payment.
4. Enter the appropriate information and submit the payment.
5. Retain the confirmation number for your records.

Pay by Check

1. Make your check payable to the "DC Treasurer."
2. To ensure your payment is recorded accurately, you **must** write your **Square, Suffix, Lot (SSL) number** on your check or money order.
3. If you are submitting payments for more than one property, you **must** include separate checks for each payment voucher.
4. Mail your check with the voucher at the bottom of this notice to: Office of Tax and Revenue DC Government Real Property Taxes, P.O. Box 718095, Philadelphia, PA 19171-8095.
Payments must be received at that address by the due date to be credited as timely. The District cannot be responsible for delays in the mail.

Please note: OTR accepts MasterCard, Visa, American Express, and Discover cards for credit card payments made online. There is a 2.5 percent non-refundable convenience fee, charged by the processor, when making a credit card payment. The convenience fee does not apply to ACH payments. Also, the credit card payment amount is not to exceed \$100,000.00 (inclusive of 2.5 percent non-refundable convenience fee) per transaction and is limited to a maximum of two (2) transactions per month.

TAX SALE:

Properties delinquent in the payment of real property tax, BID tax, vault rent, special assessments, or other certified liens may be subject to sale at the District's annual tax sale.

PENALTY, INTEREST, AND FEES:

The law provides that if your real property and/or BID tax is not paid in full by the due date on the tax bill, the Office of Tax and Revenue **must** charge a penalty equal to 10% of the delinquent tax, as well as interest at the rate of 1.5% per month (or part thereof) until paid in full. Furthermore, a \$65 fee will be assessed for each dishonored payment. Waiver requests can be submitted via *MyTax.DC.gov* for consideration.

BILL QUESTIONS:

For assistance with billing related inquiries as well as *MyTax.DC.gov*, please contact our e-Services Unit at (202) 759-1946 or email e-services.otr@dc.gov, 8:15 am to 5:30 pm, Monday through Friday. For assistance with property classification III (3) and IV (4), please contact the Office of Residential Inspection Unit of the Department of Building at (202) 671-3500 or email vacantbuildings@dc.gov.



Government of the District of Columbia
Office of the Chief Financial Officer
Office of Tax and Revenue

1101 4th Street, SW
Washington, DC 20024

Notice Number: L0012435743

OUTSTANDING LIABILITIES

Description	Class	Tax	Penalty	Interest	Credit	Total
2024 Second Half Tax	4	\$36,117.50	\$0.00	\$0.00	\$0.00	\$36,117.50
2024 First Half Tax	3	\$18,058.75	\$1,805.88	\$1,354.40	\$0.00	\$21,219.03
2023 Tax	3	\$35,325.50	\$3,532.56	\$7,418.32	\$0.00	\$46,276.38
2022 Tax Sale Fee		\$0.00	\$0.00	\$0.00	\$0.00	\$200.00
2022 Tax Sale PCLE Fee		\$0.00	\$0.00	\$0.00	\$0.00	\$381.50
2022 Tax Sale Tax	3	\$32,552.00	\$3,255.20	\$12,695.28	-\$865.95	\$47,636.53
2022 Tax Sale Interest Adjustment		\$0.00	\$0.00	\$2,034.50	\$0.00	\$2,034.50
2021 Cross Period Offset		\$0.00	\$0.00	\$0.00	-\$200.00	\$0.00
2021 Tax	3	\$31,014.00	\$2,837.78	\$5,554.65	-\$39,406.43	\$0.00
2020 Tax	3	\$14,695.75	\$1,219.75	\$8,599.20	-\$2,498.28	\$22,016.42
Total		\$167,763.50	\$12,651.17	\$37,656.35	-\$42,970.66	\$175,881.86
Amount Due By August 31, 2024						\$176,329.76
Amount Due By September 15, 2024						\$177,491.58





Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

Plaintiff

vs.

Case Number _____

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Clerk of the Court

Name of Plaintiff's Attorney

Address

Telephone

By _____
Deputy Clerk

Date _____

如需翻译, 请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction Để có một bản dịch, hãy gọi (202) 879-4828
번역을 원하시면, (202) 879-4828로 전화하십시오 የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation
Vea al dorso la traducción al español



TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA
DIVISIÓN CIVIL
Sección de Acciones Civiles
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001
Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

 Demandante
 contra

Número de Caso: _____

 Demandado

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante _____

Por: _____
 Subsecretario

Dirección _____

Fecha _____

Teléfono _____

如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Để có một bản dịch, hãy gọi (202) 879-4828

반영을 원하시면 (202) 879-4828 로 전화하십시오

የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE Oponerse a esta acción, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedirayuda al respecto.

Vea al dorso el original en inglés
 See reverse side for English original