

**BOARD OF TRUSTEES**  
**UNIVERSITY OF THE DISTRICT OF COLUMBIA**  
**UDC RESOLUTION 2016- \_\_\_\_\_**

**SUBJECT: Notice of Proposed Rulemaking- 8B DCMR, Chapter 21- Leasing of Real Property**

**WHEREAS**, pursuant to D.C. Code §38-1202.01 (a), the Board of Trustees has the authority to make, deliver and receive deeds, leases and other instruments and to take title to real and other property in its own name; and to adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations it considers necessary for the governance and administration of the University; and

**WHEREAS**, the leasing of real property is governed by the provisions of 8B DCMR Chapter 21; and

**WHEREAS**, the Board of Trustees seeks to repeal the restriction on the maximum lease term length to allow for strategic planning and stronger negotiating positions;

**THEREFORE BE IT RESOLVED**, that the Board of Trustees of the University of the District of Columbia hereby modifies Chapter 21 pertaining to the leasing of space to repeal the restriction on the maximum lease term; and

**BE IT FURTHER RESOLVED**, that the Board of Trustees of the University of the District of Columbia hereby approves the attached DCMR regulations and takes proposed rulemaking action to repeal Section 2100.2 of Chapter 2 of the University Rules (Title 8B DCMR); and

**BE IT FURTHER RESOLVED**, that the General Counsel is hereby directed to publish this Notice of Proposed Rulemaking in the D.C. Register as soon as is practicable for a comment period of not less than thirty (30) days, in accordance with the provisions of D.C. Official Code §2-205 (a).

Submitted by the Operations Committee

July 20, 2016

Approved by the Board of Trustees:

July 26, 2016

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Dr. Elaine A. Crider  
Chairperson of the Board

**UNIVERSITY OF THE DISTRICT OF COLUMBIA**  
**NOTICE OF PROPOSED RULEMAKING**

The Board of Trustees of the University of the District of Columbia pursuant to the authority set forth under the District of Columbia Public Postsecondary Education Reorganization Act Amendments (Act) effective January 2, 1976 (D.C. Law 1-36; D.C. Official Code §§ 38-1202.01(a); 38-1202.06)(3),(13) (2001 & 2011 Supp.) hereby gives notice of its intent to amend chapter 2 (Administration and Management) of subtitle B (University of the District of Columbia) of title 8 (Higher Education) of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*. The purpose of the proposed rule is to update the administrative structure of University Personnel. The Board of Trustees will take final action to adopt these amendments to the University Rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

**Section 2100, ACQUISITION OF REAL PROPERTY BY LEASE, of Chapter 21, LEASING OF REAL PROPERTY, of subtitle B, UNIVERSITY OF THE DISTRICT OF COLUMBIA, of title 8, HIGHER EDUCATION, is amended to repeal Section 2100.2 set forth below:**

2100.2 University leases shall not bind the University for periods in excess of twenty (20) years.



## FISCAL IMPACT STATEMENT

**TO:** The Board of Trustees  
**FROM:** Managing Director of Finance *David L. Franklin*  
**DATE:** June 13, 2016  
**SUBJECT:** Proposed Rulemaking – Leasing of Real Property

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### Conclusion

It is concluded that there is no significant fiscal impact to the proposed rulemaking action to amend Chapter 21 of the University Rules (Title 8B DCMR).

### Background

Pursuant to D.C. Code 38-1202.01(a), the Board of Trustees (The Board) has the authority to make, deliver and receive deeds, leases and other instruments and to take title to real and other property in its own name. In addition, the Board is vested with the authority to adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations it considers necessary for the governance and administration of the University.

Under the provisions of 8B DCMR, the Board wishes to modify Chapter 21 pertaining to the leasing of space to increase the maximum lease term to a maximum of thirty (30) years. To this end, the Board proposes to take rulemaking action to amend Chapter 2 of the University Rules (Title 8B DCMR) in order to effect the change in policy.

### Financial Impact

This request has been approved based on the information provided. There are no anticipated risks as this time.