

BOARD OF TRUSTEES
UNIVERSITY OF THE DISTRICT OF COLUMBIA
UDC RESOLUTION 2016-47

SUBJECT: Notice of Final Rulemaking, Amendments to Chapter 21, Repealing Cap on Maximum Lease Term Length

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; and

WHEREAS, on July 26, 2016, the Board of Trustees passed Resolution 2016-35 approving a Notice of Proposed Rulemaking (NPRM) to update Chapter 21 of 8B DCMR in order to repeal the restriction on maximum lease term length to allow for strategic planning and stronger negotiating positions; and

WHEREAS, the Notice of Proposed Rulemaking was published in the D.C. Register on October 14, 2016 for a thirty (30) day comment period. The public comment period has lapsed, and no comments have been submitted during the period pursuant to the instructions printed in the Notice.

NOW 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 Final Rulemaking in the District of Columbia Register.

Approved by the Board of Trustees

November 22, 2016



Elaine A. Crider

Chairperson of the Board

BOARD OF TRUSTEES
UNIVERSITY OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL 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)

The purpose of the final rule is to repeal the restriction on the maximum lease term length to allow for strategic planning and stronger negotiating positions.

The substance of the rules adopted herein was published in the D.C. Register on October 14, 2016 for a period of public comment of not less than thirty (30) days, in accordance with D.C. Official Code § 2-505(a) (2011 Supp.).

No public comment was received by the Board within the public comment period. The rule was repealed by final action on November 22, 2016 and these rules will become effective upon final publication 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.