



March 31, 2021

BY E-MAIL (JBNichols@co.pg.md.us)

Joyce Nichols, Esquire
Zoning Hearing Examiner
Office of the Zoning Hearing Examiner
County Administration Building
14741 Governor Oden Bowie Drive, Lobby Level
Upper Marlboro, Maryland 20772

RE: Validation of a Rental License Issued in Error – ERR-282
Villages at Montpelier

Dear Ms. Nichols:

With regard to the upcoming hearing in the above-referenced case, which is currently scheduled for Tuesday, April 6, 2021, I have enclosed revised floor plans, which are now paired with accompanying photographs of each of the 48 buildings at the Villages at Montpelier. Regarding your e-mail on March 22, 2021, a copy of which is attached for your convenience, and as I previously indicated in my reply to that e-mail, we needed more than the time allotted (by 3/30/21) to respond to your instructions. This submission today is being provided to address your comments in the 3/22 e-mail, which were in response to our last submission on March 19, 2021.

Please be advised that I have been working with my client over the last several days to add more detail to each of the floor plans for all 48 buildings and we believe these drawings now provide the clarity you wanted to see. We also added detail to the photographs for each building, noting the building number at the top of each photograph, as some of the numbers on certain buildings were challenging to read.

The PDF provided contains the revised floor plans and photos. The record in this matter contains an Excel spreadsheet (Exhibit 61 – Rent Roll) listing each building and coinciding unit types (i.e. one-bedroom, two-bedroom) as well as sample floor plans for each unit type. I hope these combined materials and the revised floor plans and photos now meet your expectations and

requirements; however, should you find that more detail or information is still needed, please do not hesitate to contact me again and we will make further adjustments.

Finally, it is our understanding that it may be necessary to continue the April 6th hearing, and if that is the case, we would have no objection to a new hearing date. We are ready to proceed on April 6, 2021, if you would prefer to keep this date for the hearing. However, we believe it would be fruitless to hold a hearing on April 6th if the revised floor plans and photos will not be included in the record. Thus, in that instance, our preference would be to move the hearing to a new date to allow for the inclusion of these updated materials in the record. Please let me know your determination regarding this issue and I will proceed accordingly by either submitting a formal continuance request ahead of April 6th, or be ready to go forward with a hearing on the currently scheduled date.

Thank you, and I hope you have a great rest of the week.

Very truly yours,

Traci Scudder

Traci R. Scudder

Enclosures

cc: Maurene Epps McNeil, Esquire
Stan D. Brown, Esquire
Mr. James Becker
Michael Schecter, Esquire

FW: ERR 282

Nichols, Joyce B. <JBNichols@co.pg.md.us>

Mon 3/22/2021 3:14 PM

To: Traci Scudder <traci@scudderlegal.com>

From: Nichols, Joyce B.

Sent: Monday, March 22, 2021 3:11 PM

To: Traci R Scudder (tscudder@omng.com) <tscudder@omng.com>; Stan Brown <attorney@stanbrown.law>

Cc: McNeil, Maurene E. <MEMcNeil@co.pg.md.us>; Poteat, Betty M. <bmpoteat@co.pg.md.us>; Bah, Fatima J. <FJBah@co.pg.md.us>

Subject: ERR 282

Traci,

I have reviewed the papers you left in the ZHE dropbox. These papers were not floor plans. Stan drew a floorplan for you in our last hearing as a sample and you have filed floorplans in your previous ERR applications. Please look to your previous files for samples. A floorplan of each floor of each building is required. If you provide the floorplans digitally prior to March 30 we can discuss them during the April 7 hearing. You have had since December 2020 to provide the required floor plans but have not done so despite several continuances. All exhibits are required to be filed and made available to the public a week prior to the hearing. If the floorplans are not provided prior to March 30, the April 7 hearing will proceed in a limited scope and the record will close at the conclusion of the hearing.

Joyce Nichols

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