

**ANSWERS IN RESPONSE TO OBJECTION
FOR ADU AT 7709 OLDCHESTER RD, BETHESDA**

12/3/2024

Upon arriving home from the Bahamas on 11/17/2024 in my email was “objection to DCHA decision regarding ADU” which contained fourteen (14) pages of objections “under perjury of the laws of the United States”. The email was sent on 11/13/2024 but I was away on travel. In answer to these objections are:

Exhibit #1: Steph Lease for objection email sent 12/2/24 at 4:12pm stating that Stephen Chris Igbokwe took occupancy of a private room and bath (#5 Kirby) on Sept 1, 2022 and has been residing in that room ever since.

Exhibit #2: Steph’s statement of account email sent on 12/2/24 at 5:10 pm.

Exhibit #3: Muh’s Lease for objection email sent on 12/2/24 at 4:20 pm stating that Muhammed Muhie took occupancy of a private room and bath (#1 Radnor) on February 23, 2022 and has been residing in that room ever since.

Exhibit #4: Muhammed’s statement of account email sent on 12/2/24 at 5:04pm.

Exhibit #5: Jeff’s Lease for objection email sent on 12/2/24 at 4:32 pm stating that Jeffrey Szabla took occupancy of a private room and bath (#6 Kirby) on April 15, 2021 and has been residing in that room ever since. Mr. Szabla’s primary residence is in Florida (hence the current white car with Florida plates) he works from his home most of the time and uses the room when needed.

Exhibit #6: Jeff’s statement of account email sent 12/3/24 at 5:46 pm

Exhibit #7: Assane’s Lease for objection email sent on 12/2/24 at 4:38pm stating that Assane Diedhiou took occupancy of a private room and bath (#4 Honeywell) on December 1, 2023 and only stayed till mid October when he switched jobs from Nissan in Rockville to Jaguar in Annapolis and didn’t want the longer commute.

Exhibit #8: Assane’s statement of account email sent on 12/2/24 at 4:45 pm.

At last year’s administrative hearing it was made clear that the owner from the Landlord-Tenant Handbook by the Department of Housing and Community Affairs must: “provide for the maintenance of the health, safety, and welfare of tenants...respect my tenants and show good faith by returning calls and responding to requests...keep lines of communication open” all of which I have tried to the best of my ability to comply with, have never raised the rent, apprised my tenants

of my desire to build an adu. After last year's hearing I requested a copy of my rental license which is enclosed

Exhibit #9: Rental Facility License #76210 and correspondence from Thomas Howley

After the hearing of last year I realized that: "An owner-occupant landlord may rent rooms in their house without obtaining a rental facility license as long as they meet the following requirements: 1. There are no more than five unrelated occupants in the home (including the owner) or 2. there are no more than two unrelated people and any children/parents/ siblings or other persons related to either of them by blood, marriage, adoption or guardianship. If the owner-landlord does not occupy a room in the rental property, he must first obtain a rental facility license from Montgomery County's Department of Housing and Community Affairs (DHCA), Licensing and Registration Unit. Any landlord who is required to have a rental facility license and does not obtain one, may not pursue legal action against a tenant for unpaid rent in the District Court of Maryland and is subject to a civil citation from DHCA's Licensing and Registration Unit. For more information about obtaining , maintaining and renewing a rental facility license, contact the Licensing and Registration Unit at 240-777-0311 or at our website: <https://www.montgomerycountymd.gov/DHCA/housing/licensing/index.html>"

In answering complaints from neighbors: "constant change of tenants that appear to be temporarily living at the house...short term rentals to multiple tenants" by providing these documents it is clear that I only rent one occupant per room – and to make sure of that please note #5: USES/AUTHORIZED OCCUPANCY that states: room will be used solely for residential purposes and be occupied by no more than one person. Tenant agrees to pay overnight guest fees of \$45.00 per night. Lessee shall not assign this Agreement or sublet any portion of the premises without prior written consent of the Lessee." An objection to last year's hearing was that I rent monthly however, it is a mutual protection to us both that if either tenant or landlord does not see this as a mutually beneficial relationship it can be ended shortly. #4 Honeywell room was vacant both at the time of Michelle Hadrick's inspection last year and David Johnson's inspection this year.

I was a resident of Montgomery County for the first 48 years of my life, and then left a 27 year marriage back in August 20, 2001 with all of our children from the domicile located at 25129 Woodfield School Road in Gaithersburg. I wanted our four boys to attend DeMatha high school so I bought a bungalow in DeMatha's backyard and started my career as a teacher in the PGCPs school system that ended when I was 68.5. I then attended to move back to my parent's house that I purchased in the inheritance. When I purchased it I put it into my revocable trust that my executor is instructed to not sell the house and divide up the proceeds since I am now blessed with grandchildren, two who are severely autistic and as board member of the Arc of Montgomery County I see how scare housing is for those with no voice, so I have tried to make provisions for those I have been blessed to have in my life.

However, since at the time I left the marriage I had no job, so the day I left in 2001 I signed a contract as a provisional special education high school teacher. With no retirement I realized in my 60's that the most prudent thing for me to do was to develop my own retirement plan by purchasing raw acreage in Laurens County, South Carolina and develop manufactured homes for long term rental. My acreage is less than ten minutes away from a Walmart and Volvo plant and housing is in great demand. Five of these two bedroom 2 bath singlewides could provide my retirement income – that is the logic behind my South Carolina plates, since my LLC owns all vehicles, property, containers, supplies. Consistent with my life I did not count the cost of the complexity of developing raw land into profitable housing, but I am a work in progress and am approaching this as a journey to solutions.

Exhibit #10: flavia's retirement plan-survey and 3 purchased manufactured homes email sent on 12/2/24 at 4:54pm

Exhibit #11: Sawmills & Sawgrass LLC, property tax for the individual lots where the manufactured homes I purchased will go – need to bring in underground water, electric and individual septic installations. Email sent on 12/2 24 at 4:58 pm

The third objection to my building an adu is “I do not permanently reside at 7709 Oldchester Road, Bethesda Md...I have not observed her living in the house on a regular basis and believe this request for a license to build an ADU as set forth in Ms Favali's application is a ruse to add additional rental space to the house”. After last year's hearing I understood that I had to live in the house, which I did, and as I understand principal residence is six months plus one day, of which this year I have fulfilled from the day the license sign came down on 7/28/23 till September 31, 2024, and I spent two hundred thirty eight days (238) days in the house which is listed on Exhibit #12: sent email on 12/3/24 at 5:52pm

Exhibit # 13: sent on 12/3/2024 at 6:01pm has pictures from Nov 18th when I read the email that now 8 objectors are objecting that I live in what I believe is my principal residence. The first is our Montgomery County leaf pickup, Nov 19th is of the HOLT electric truck outside of the Mack's home, the 20th is of the Finkel's landscaping truck and landscapers, the 21st is that of the Goodfriend's landscaping truck, the 22nd is the dog groomer outside of the Mack residence. The 23rd is my electrician parked outside of my home. I made sure to include in the foreground a picture of my Mitsubishi – however it is a 2007 with 200,000 miles, so it might not last much longer, and then my Subaru will take it's place. I am suggesting that since now 8 objectors, 3 of whom I have never met all say that I don't live in the house I say I do – I will take a picture with one of my vehicles, in the foreground and something like the county leaf pick up truck, that can be verified that it did

indeed make an appearance on our street on the 18th of November, the day that I was apprised that I would be facing objectors yet again to take care of myself in my old age. I have an android phone and will submit the pictures from the phone on a daily basis when I am residing in the house and submit them.

Exhibit #14 email sent on 12/3/2024 at 1:06 pm which include two emails that I sent to my objectors last year showing them the state of my bones and why I am attempting to build a handicapped accessible adu. No one replied to these emails, however I honestly never thought of building an adu, but having six months in a wheelchair to contemplate my life provided me with this idea that would be so beneficial to me, would be inconspicuous in the back of the primary house. *“But he shall judge the poor with justice and decide aright for the land’s afflicted”* *Isaiah 11:4* I believe I came to the conclusion that building a handicapped ADU makes the most sense – when I was in Holy Cross hospital I began to depend on my daily injections of dilaudid and then transferring to Potomac Valley nursing and rehab home there were an abundance of roaches, and my bed was metal and constantly got caught with my external fixators (picture included). I had the opportunity to fly into Israel on the 3rd of October and spent the next two days with my tour group going through Palestine and Israel – alas on the 6th of November I was in the holy city hoping not to be destroyed – and we came so very close – if you check my friend’s Duane Smith’s facebook he has a picture of the bomb coming right at us and a Israeli missile destroying it – how hard would it be to just live in quiet and peaceful enjoyment.

1

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12/2/2024 4:12 PM

Steph Lease for objection to adu at 7709 old chester rd beth

To kathleen.byrne@montgomerycountymd.gov Copy nana.johnson@montgomerycountymd.gov •
flavia4222@comcast.net • wjc@cwtm.net

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- Library Document Station.pdf (750 KB)

#2

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12/2/2024 5:10 PM

Statement of account NOT totally current for Steph for objec

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flavia4222@comcast.net

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#3

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12/2/2024 4:20 PM

Muhammed Muhie lease for adu objection at 7709 oldchester rd

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#4

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12/2/2024 5:04 PM

Muh statement of account NOT updated for adu objection at 77

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flavia4222@comcast.net

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#5

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12/2/2024 4:32 PM

Jeff Szabla lease for objection to adu at 7709 oldchester rd

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flavia4222@comcast.net

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#6

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12/3/2024 5:46 PM

Jeff's statement of account

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flavia4222@comcast.net

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#7

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12/2/2024 4:38 PM

Assane Diedhiou - ONLY stayed 9 months, now works in annapol

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flavia4222@comcast.net

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12/2/2024 4:45 PM

Assane rent roll for adu objection at 7709 oldchester rd bet

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flavia4222@comcast.net

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12/3/2024 5:42 PM

Rental License & Howley correspondence for objection to adu

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flavia4222@comcast.net

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#10

12/2/2024 4:54 PM

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flavia's retirement plan - survey and 3 purchased mh for obje

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flavia4222@comcast.net

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#11

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12/2/2024 4:58 PM

S&S llc property tax for mh in SC for objection to adu at 77

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flavia4222@comcast.net

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12

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12/3/2024 5:52 PM

Principal Residence tally for adu objection of 7709

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13

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12/3/2024 6:01 PM

Nov 18-23 principal residence objection to adu at 7709 old c

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#14

Flavia Favali <flavia4222@comcast.net>

12/3/2024 1:06 PM

Fwd: Message from KM_C458: Email to neighbors 9/9/& 9/13/2004 with documentation

To Kathleen.Byrne@montgomerycountymd.gov <kathleen.byrne@montgomerycountymd.gov> •
Nana.Johnson@montgomerycountymd.gov <nana.johnson@montgomerycountymd.gov> •
wjc@cwtm.net <wjc@cwtm.net> • FLAVIA FAVALI <flavia4222@comcast.net>

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