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**FILLING VACANCIES IN ADVISORY NEIGHBORHOOD COMMISSION OFFICES
BY APPOINTMENT OF THE ANC**

Vacancies in ANC offices are filled by a process that includes two basic steps:

- 1. Interested candidates file nominating petitions with the Board of Elections, and*
- 2. The Commission appoints someone or conducts an election to fill the remainder of the term from among the qualified candidates.*

This Information Circular explains the ANC vacancy-filling process in general terms. For authoritative references, please consult D.C. Code Section 1-257.

How a Vacancy Occurs

A vacancy in an ANC office may occur for a number of reasons -- i.e., the Commissioner dies, resigns, moves out of the SMD, or otherwise loses the qualifications for office.

When a Commissioner Resigns

When a Commissioner resigns, he or she must submit a letter of resignation to the Board of Elections, the Mayor, the Council, and the Chairperson of the affected ANC.

If the Commissioner loses the qualifications to hold office but does not submit a letter of resignation, the Commission must declare the seat vacant. D.C. Code Section 1-257(f)(2), outlines this procedure.

Beginning of the Vacancy-Filling Process

The Board of Elections certifies any ANC vacancies that exist by publishing a notice in the D.C. Register. The Board's notice lists the date

that petitions are available, as well as the filing deadline and the dates for the petition challenge period. (The petition period runs for 21 days beginning on the date that petitions are first made available in the Board's office.)

How to Become an ANC Candidate

Nominating petitions are available in the Board's office in Room 250 of the One Judiciary Square Building. When petitions are picked up, the candidate also receives a list of registered voters in the SMD eligible to sign the petition, as well as other materials.

Candidate Filing Requirements

A candidate must file the following documents with the Board of Elections by the filing deadline:

1. A petition with the signatures of at least 25 duly registered voters registered in the SMD;

2. A notarized "Declaration of Candidacy" signed by the candidate; and
3. An "Affidavit of the Person Filing the Petition" stating that the petition has the minimum number of signatures.

The Petition Challenge Period

Petitions are available for public inspection and possible challenge in the Board's office, for five working days, beginning on the third day after the filing deadline.

Certification of Nominee(s)

At the end of the challenge period (or after all challenges are resolved), the Board certifies a list of the individuals who qualify for appointment to the Advisory Neighborhood Commission.

Appointment Or Election To Fill The Vacancy

If no qualified candidates file petitions, the Board must recertify the vacancy by publishing notice in the D.C. Register and making petitions available again.

If only one candidate meets the qualifications for appointment, the Commission must appoint that person to fill the vacancy at its next regularly scheduled meeting.

If more than one candidate meets the qualifications, the ANC must give notice at a public meeting that at the next regularly scheduled meeting there shall be an open vote of the registered voters of the affected SMD to elect the new Commissioner. Votes must be counted by at least two impartial vote counters and the results must be read aloud by the Chairperson or his or her designee.

The ANC must send the Board of Elections a copy of any resolution which appoints or elects a candidate to the office of Commissioner. The Board then declares the vacancy filled by publishing notice in the D.C. Register.

Qualifications for Office

To hold the office of ANC Commissioner, a person must meet these requirements:

- Be a registered D.C. voter;
- Live in the SMD from which nominated;
- Have lived in the SMD continuously for the 60 days immediately preceding the day on which the nominating petition is filed; and
- Hold no other elected public office.

For More Information

For more information on the procedures for filling ANC vacancies, call the Board of Elections at 727-2525.