

PUBLIC HEARING ON

**“Archdiocese of Washington Parish Real Property, Deed Recordation,
and Transfer Tax Exemption Amendment Act of 2026”
Bill 26-641**

**Before the
Committee of the Whole
The Honorable Phil Mendelson, Chairman**

Council of the District of Columbia

**July 10, 2026 at 10:00 a.m.
Room 412 (Track B)
John A. Wilson Building
1350 Pennsylvania Avenue, NW**



**Testimony of Basil Facchina
Assistant General Counsel
Office of the Chief Financial Officer**

**Glen Lee
Chief Financial Officer
Government of the District of Columbia**

Good morning, Chairman Mendelson and Members of the Committee of the Whole. My name is Bazil Facchina. I am an Assistant General Counsel in the Office of the Chief Financial Officer (“OCFO”). I am pleased to testify for the OCFO on Bill 26-641, the “Archdiocese of Washington Parish Real Property, Deed Recordation, and Transfer Tax Exemption Amendment Act of 2026” (the “Bill”).

The Bill generally would provide recordation and transfer tax exemptions for the transfer of specified parish properties currently owned by the Roman Catholic Archbishop of Washington, a corporation sole¹, to named nonprofit corporations organized to hold the real property of that parish. These corporations were generally created during 2023 and did not exist prior to that time. The Bill would also provide a carryover of the existing real property tax exemptions of these properties to the new ownership. Emergency and temporary legislation covering these subjects has been enacted.

The Bill would supplant the existing administrative exemption process that ordinarily would apply to transfers from one property owner to another. The Archdiocese has already transferred certain parish properties to these recently

¹ A “corporation sole” is a corporation consisting of the individual holding a particular office, such as an archbishop, and that individual’s successors.

organized parish corporations, and the Office of Tax and Revenue (“OTR”) has exempted the properties for which properly completed applications have been submitted. The current process has functioned effectively to date, and it appears that the existing administrative exemption framework could continue to serve as an efficient approach for the remaining Archdiocese parish properties as they transition to ownership by the parish corporations.

The Bill also provides that the Archdiocese may transfer the specified properties to the separate parish corporations through supplemental deeds without transfer and recordation tax. Since the other provisions of the Bill already exempt the transfer of these properties from the Archdiocese to the parish corporations, this provision does not affect the tax treatment of these deeds and serves no recordation or transfer tax purpose. This provision can be removed from the Bill without adverse tax consequences to the Archdiocese or the parish corporations. The provision, however, has occasioned a disagreement between OTR and the Archdiocese which is extraneous to the tax issues implicated by these property transfers.

It has been established under case law for many years that a “supplemental deed” under the recordation and transfer tax laws does not include a deed transferring property from one legal entity to another. *Columbia Realty Venture v. District of Columbia*, 433 A.2d 1075 (D.C. 1981). In fact, the

District of Columbia Court of Appeals has recently issued a decision which has reaffirmed this point, holding that a deed which transfers ownership of real property from one legal entity to another is not a supplemental deed. *Barlow v. District of Columbia*, 2022-TX-000740, 2026 WL 1338732 (D.C. May 14, 2026). Accordingly, the transfers of these properties by the Archdiocese to the separately organized parish corporations are not supplemental deeds, and the language in the Bill does not change the established definition of this term. If it is desired to treat these deeds as supplemental for purposes of these transfers, the Bill language should be amended to say this expressly. Suggested language to accomplish this change is attached to my testimony.

Thank you for the opportunity to testify. This concludes my testimony and I am happy to answer any questions you have at this time.

ADDENDUM TO TESTIMONY OF BAZIL FACCHINA ON BILL 26-461

SUGGESTED LANGUAGE RECHARACTERIZING TRANSFERS OF
REAL PROPERTY FROM THE ARCHDIOCESE TO SEPARATE PARISH
CORPORATIONS AS SUPPLEMENTAL DEEDS

“(uu) The **transfers of the** properties listed in subsections (a) through (rr) ~~may be transferred through supplemental deeds,~~ for no additional consideration, from The Roman Catholic Archbishop of Washington and his successors in office, a corporation sole, as the record owner, to the respective parishes of the Archdiocese of Washington as named in subsections (a) through (rr) **shall be deemed to be supplemental deed transfers**, and any such supplemental deed transfers shall be exempt from the taxes imposed by Chapter 9 of this title and Chapter 11 of Title 42, and shall not require the submission of real property tax exemption applications.

“(vv) Each of the real properties listed in subsections (a) through (mm) shall remain exempt from taxation imposed by Chapter 8 of this title under § 47-1002 so long as the property is owned by The Roman Catholic Archbishop of Washington & his successors in office, a corporation sole, or the respective parishes of the Archdiocese of Washington as named in subsections (a) through (mm), and provided that such owner, or any lessee, continues to use the property as listed in subsections (a) through (mm) to provide religious,

charitable, educational, or related services, subject to any applicable provision(s) of § 47-1005 for any taxable portion of the property. If any or all of the properties listed in subsections (a) through (mm) are transferred through **deemed** supplemental deed **transfers** pursuant to subsection (uu), for no additional consideration, from The Roman Catholic Archbishop of Washington and his successors in office, a corporation sole, as the record owner, to the respective parishes of the Archdiocese of Washington as named in subsections (a) through (mm), the property(ies) in question shall remain exempt from taxation under § 47-1002, subject to any applicable provision(s) of § 47-1005 for any taxable portion of the property, and there shall be no requirement for The Roman Catholic Archbishop of Washington & his successors in office, a corporation sole, or the respective parishes of the Archdiocese of Washington as named in subsections (a) through (rr), to submit a real property tax exemption application in order to retain the tax exemption.”