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Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL

DISTRICT BUILDING

WASHINGTON, D. C. 20004



IN REPLY REFER TO:

OCC/CDD/FS/JER/c

May 24, 1985

OPINION OF THE CORPORATION COUNSEL
SUBJECT: Real Property Exemption
Status of the International
Bank for Reconstruction and
Development (World Bank)

Melvin W. Jones
Director, Department of
Finance and Revenue
Room 4136, Municipal
Center
300 Indiana Avenue, N.W.
Washington, D.C. 20001

Dear Mr. Jones:

You have requested an opinion with respect to the entitlement of the World Bank to a real property tax exemption, and if such an exemption should exist, the timing of its commencement. For the reasons that follow, I have concluded that the World Bank is entitled to such an exemption and that that exemption commences from the date of acquisition of the property.

Entitlement to Exemption

The World Bank owns two pieces of property which are the subject of this discussion. They are Lot 18 in Square 121, acquired on July 9, 1980, and Lot 818 in Square 168, acquired on March 30, 1984.

Section 1 of the International Organizations Immunities Act ^{1/} authorizes the President, by appropriate Executive Order, to designate

^{1/} 22 U.S.C. §288 (1979).

international organizations meeting certain definitional criteria 2/ to enjoy the privileges, exemptions and immunities provided for in the Act. The World Bank has been so designated by Executive Order as meeting these criteria and therefore entitled to enjoy the privileges, exemptions and immunities conferred by the Act. 3/

Section 6 of the Act sets forth the exemption from property taxes:

International organizations shall be exempt from all property taxes imposed by, or under authority of, an Act of Congress, including such Acts as are applicable to the District of Columbia or the Territories. 4/

Timing of Exemption

By regulation, the Department has exempted certain properties from the requirement of a written application for a property tax exemption. 5/ If such properties are discharged from an obligation to apply, it follows that their exemption would run from date of acquisition rather than from July 1 following the date of acquisition.

2/ An international organization is defined by the Act as meaning:

a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation.

3/ See Historical Note following 22 U.S.C. §288, listing all Executive Orders designating such organizations:

Public International Organizations Entitled to Enjoy
Certain Privileges, Exemptions, and Immunities.

* * *

International Bank for Reconstruction and Development

* * *

4/ 22 U.S.C. §288c (1979).

5/ 9 D.C.M.R. §322.3:

The following properties are exempt from the requirement
[Footnote 5 cont'd on the next page]

Conclusion

Accordingly, it is clear that the World Bank is an international organization falling within the ambit of the International Organizations Immunities Act, and that its two pieces of property, namely Lot 18 in Square 121 and Lot 818 in Square 168, qualify for an exemption from real property taxes from the dates of their respective acquisitions, July 9, 1980, and March 30, 1984.

Sincerely,

Inez Smith Reid

Inez Smith Reid
Corporation Counsel, D.C.

[Footnote 5 cont'd. from previous page]

for a written application for property tax exemption:

* * *

(5) Property specifically exempt by Act of Congress.