

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on an temporary basis, the Rental Housing Act of 1985 to ensure that no tenant is evicted under section 501(f) unless for the *bona fide* statutory purpose of making alterations or renovations to the rental unit which cannot safely be made while the rental unit is occupied, to ensure the “absolute right” of any tenant so evicted to rerent the rental unit, and, if the alterations or renovations are necessary to bring the rental unit into substantial compliance with the housing regulations, to ensure the right of any tenant so evicted to rerent the rental unit at the same rate.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may cited as the “Tenant Evictions Temporary Amendment Act of 2006”.

Sec. 2. Section 501(f) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(f)), is amended as follows:

Note,
§ 42-3505.01

(a) Paragraph (1) is amended to read as follows:

“(1)(A) A housing provider may recover possession of a rental unit for the immediate purpose of making alterations or renovations to the rental unit which cannot safely or reasonably be accomplished while the rental unit is occupied, so long as:

“(i) The plans for the alterations or renovations have been previously filed with the Rent Administrator;

“(ii) The Rent Administrator has expressly determined that the proposed alterations and renovations cannot safely be made while the rental unit is occupied;

“(iii) The Rent Administrator has expressly determined whether the alterations and renovations are necessary to bring the rental unit into compliance with the housing code and that the tenant shall have the right to rerent the rental unit at the same rate; and

“(iv) The housing provider at the time the application is made to the Rent Administrator has given the tenant:

“(I) Notice of the application;

“(II) Notice of all tenant rights in the event that the application is approved, including a list of sources of technical assistance as published in the District of Columbia Register by the Mayor;

“(III) A summary of the plan for the alterations and renovations to be made; and

“(IV) Notice that the plan in its entirety is on file and available for review at the office of the Rent Administrator and at the rental office.

“(B) As part of the application under this subsection, the housing provider shall submit to the Rent Administrator for review and approval, and to the Chief

Tenant Advocate, the following plans and documents:

“(i) A copy of the notice that the housing provider has circulated informing the tenant of the application under this subsection;

“(ii) A draft of the notice to vacate to be issued to the tenant in the event that the application is approved by the Rent Administrator;

“(iii) A plan for the alterations and renovations, including:

“(I) A timetable for the relocation of the tenant from the rental unit, the completion of all necessary construction, and the relocation of the tenant back into the rental unit; and

“(II) The dates upon which the housing provider shall submit to the Rent Administrator periodic progress reports, which shall be due at least once every 60 days until the alterations and renovations are complete and each tenant is notified that he or she may move back into his or her rental unit; and

“(iv) A relocation plan for each tenant that provides:

“(I) The amount of the relocation assistance payment for each unit;

“(II) The list of units within the housing provider’s portfolio of rental accommodations made available to each dispossessed tenant;

“(III) A list of tenants with their relocation addresses and telephone numbers as available; and

“(IV) A plan to maintain such records as are necessary to track the location of any tenant displaced under this subsection and to keep the tenant apprised of the progress of the alterations and renovations.

“(C) The housing provider shall serve on the tenant a 120-day notice to vacate in advance of action to recover possession of the rental unit. The notice to vacate and all other notices and communications to the tenant from the housing provider and from the Rent Administrator shall be published in the languages described in section 4(a) of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933(a)). The notice to vacate shall:

“(i) Comply with and notify the tenant of each of the tenant’s rights under this subsection, including the absolute right to rerent the rental unit, the right to rerent the rental unit at the same rate if the Rent Administrator has determined that the alterations or renovations are necessary to bring the rental unit into substantial compliance with the housing regulations, and the right to relocation assistance under the provisions of Title VII;

“(ii) Include a list of sources of technical assistance as published in the District of Columbia Register by the Mayor; and

“(iii) Request that the tenant apprise the housing provider, the Rent Administrator, and the Chief Tenant Advocate of any change in address and telephone number until the tenant is notified that he or she may move back into his or her rental unit.”.

(b) A new paragraph (5) is added to read as follows:

“(5) The Rent Administrator shall rescind the approval of any application under this subsection upon determining that the housing provider has not made good faith efforts to comply with this subsection. The Rent Administrator shall rescind the approval of any application under this subsection upon the housing provider’s failure to obtain necessary building permits or failure to begin construction within 120 days after the rental unit or housing accommodation has been vacated, or within such lesser period of time the Rent Administrator determines is reasonable.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia