

COUNCIL OF THE DISTRICT OF COLUMBIA

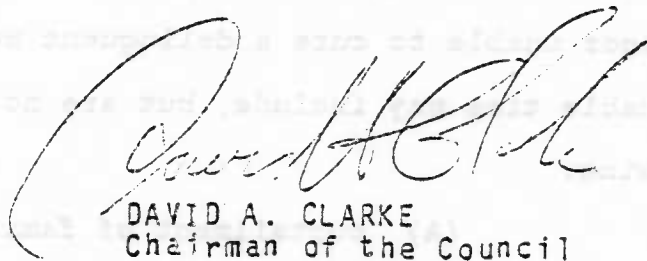
NOTICE

D.C. LAW 5-98

"Delinquent Home Mortgage Payments Fund Act
of 1984".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 5-217 on first and second readings, April 30, 1984 and May 15, 1984, respectively. Following the signature of the Mayor on June 6, 1984, this legislation was assigned Act No. 5-139, published in the June 15, 1984 edition of the D.C. Register, (Vol. 31 page 2888) and transmitted to Congress June 8, 1984 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 5-98, effective August 10, 1984.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29
July 23, 24, 25, 26, 27, 30, 31
August 1, 2, 3, 6, 7, 8, 9

D.C. LAW 5 - 98

AN ACT

EFFECTIVE
DATE AUG 10 1984

D.C. ACT 5-139

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUN - 6 1984

To establish a Delinquent Home Mortgage Payments Fund in the District of Columbia; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Delinquent Home Mortgage Payments Fund Act of 1984".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Catastrophic emergency situation" means a sudden, unexpected, and financially disabling circumstance, or set of circumstances, which causes a financial crisis that temporarily precludes a mortgagor from being able to meet his or her regular financial obligations, such as normal household expenses. Circumstances which may render a mortgagor unable to cure a delinquent mortgage within a reasonable time may include, but are not limited to, the following:

(A) curtailment of family income due to unemployment or underemployment, delay of federal or local benefits, loss or reduction in federal or local benefits, or other losses due to illness or death;

(B) uninsured damage to property resulting in the necessity of costly repairs;

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Home Mortga
Payments
Fund

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Code, sec.
45-2301
(1985 supp.

(C) expenses related to death or illness in the mortgagor's household which reduce mortgagor's income; or

(D) unanticipated and substantial increase in the mortgage escrow.

(2) "Council" means the Council of the District of Columbia.

(3) "District" means the District of Columbia.

(4) "Fund" means the Delinquent Home Mortgage Payments Fund established by section 3.

(5) "Mayor" means the Mayor of the District of Columbia.

(6) "Mortgage payment" means the payment on the principal and interest owing to a lender by a borrower for which the borrower has pledged real estate as security. Payment may also include taxes and insurance if required by the financing agreement or deed of trust.

Sec. 3. (a) There is established in the District of Columbia a revolving fund to be known as the Delinquent Home Mortgage Payments Fund to provide financial assistance to residents of the District for the purpose of enabling them to meet their delinquent home mortgage payments under circumstances enumerated by this act.

New,
D.C. Code,
sec. 45-
2302
(1985 supp

(b) There may be appropriated out of the revenues of the District an amount not more than \$225,000 to carry out the purposes of the Fund created by subsection (a).

Sec. 4. The Fund shall consist of monies from, but not limited to, the following sources:

New,
D.C. Code,
sec. 45-
2303
(1985 supp

- (1) appropriations pursuant to this act;
- (2) grants and gifts from public or private sources to the Fund or to the District for the purposes of the Fund;
- (3) repayments on principal and any interest on loans provided from the Fund;
- (4) proceeds realized from the liquidation of any security interests held by the District under the terms of any assistance provided from the Fund;
- (5) interest earned from the deposit or investment of monies of the Fund;
- (6) monies appropriated for the Fund by the United States government; and
- (7) all other revenues, receipts, and fees derived from the operation of the Fund.

Sec. 5. (a) Upon meeting the requirements of subsection (b), the Fund shall be available without fiscal year limitation for loans to District residents to make delinquent mortgage payments to prevent the foreclosure of mortgages on their principal places of residence.

(b) A District resident is eligible for a loan for a period of up to 6 months of delinquent mortgage payments pursuant to subsection (a) if the resident meets the following requirements:

- (1) The person is experiencing a catastrophic emergency situation and has exhausted available credit or lending resources.
- (2) The person has not previously received

New,
D.C. Code,
sec. 45-
2304
(1985 supp.

mortgage assistance under the program established by this act.

(3) The lender holding the mortgage on the applicant's principal place of residence gives written assurances to the Mayor that all possible means of curing the mortgage default in question have been exhausted.

(4) The person is a resident of the District and has resided in the principal place of residence for which the mortgage is delinquent for at least 5 years preceding the date of the resident's application for assistance under this act.

(5) The person is at least 3 months delinquent in payments for a home mortgage on the date of the resident's application.

(6) The person's total family income is not in excess of 120% of the lower income guidelines pursuant to section 8 of the United States Housing Act of 1937, approved August 22, 1974 (88 Stat. 662; 42 U.S.C. sec. 1437(f)).

(c) The Mayor shall arrange a repayment schedule at a rate of interest or less than the current market rate at the time the loan is awarded. The repayment schedule shall be sufficiently extended so as not to create an economic hardship for the person receiving the loan.

Sec. 6. The loans granted under this act shall be repaid pursuant to section 5(c) and shall be recorded as a lien against the property.

Sec. 7. (a) The Mayor shall issue rules, not later than 30 days after the effective date of this act, to carry

New,
D.C. Code,
sec. 45-2305
(1985 supp.)

New,
D.C. Code,
sec. 45-2306
(1985 supp.)

out the purposes of this act.

(b)(1) The rules issued by the Mayor pursuant to subsection (a) shall be submitted to the Council for a 45-calendar-day review period, excluding days of Council recess.

(2) No rules shall take effect until the end of the 45-calendar-day review period, which shall begin on the day the rules are transmitted by the Mayor to the Chairman of the Council, and then, only if during the 45-calendar-day period the Council does not adopt a resolution disapproving the rules in whole or in part.

Sec. 8. (a) An annual audit of the operations of the Fund shall be conducted by the Office of the Inspector General of the District of Columbia and shall be made available to the Council.

New,
D.C. Code,
sec. 45-230
(1985 supp.)

(b) The Mayor shall submit to the Council, not later than 6 months after the end of each fiscal year, a report of the financial condition of the Fund and the results of the operation of the Fund for the fiscal year.

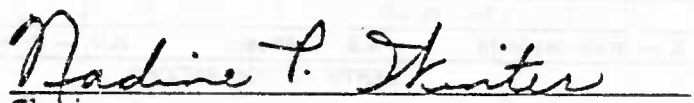
(c) The Mayor shall include in the budget estimates of the District for each fiscal year an amount out of the revenues of the District to compensate any deficiency in the appropriated working capitalization of \$225,000 for the Fund.

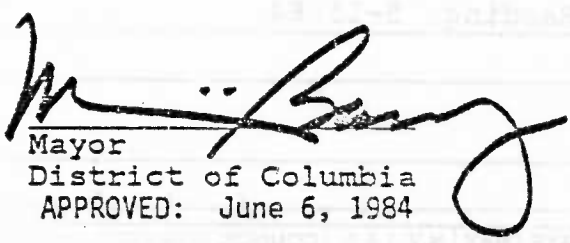
Sec. 9. (a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as

provided in section 602(c)(1) of the District of Columbia
Self-Government and Governmental Reorganization Act,
approved December 24, 1973 (87 Stat. 813; D.C. Code, sec.
1-233(c)(1)).

(b) This act shall expire 2 years from the day it
becomes effective.

Note, D.C.
Code, secs.
45-2301 to
45-2307
(1985 supp.)


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED: June 6, 1984



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Five — Second Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B 5-217

☐ Item on Consent Calendar

☒ ACTION & DATE: Adopted First Reading, 4-30-84

☒ VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

☐ ROLL CALL VOTE: — RESULT () () () () ()

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

5/22/84
Date

☒ Item on Consent Calendar

☒ ACTION & DATE: Adopted Final Reading, 5-15-84

☒ VOICE VOTE: Unanimous

Recorded vote on request

Absent: Clarke

☐ ROLL CALL VOTE: — RESULT () () () () ()

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

5/22/84
Date

☐ Item on Consent Calendar

☐ ACTION & DATE: _____

☐ VOICE VOTE: _____

Recorded vote on request

Absent: _____

☐ ROLL CALL VOTE: — RESULT () () () () ()

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote

A.B. — Absent

N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date

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