

## COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

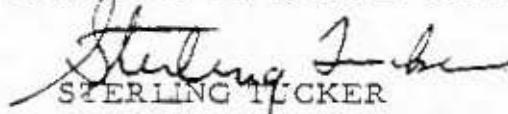
April 6, 1978

D.C. Law 2-54

"Rental Housing Act of 1977"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, (PL 93-198) the Act, the Council of the District of Columbia adopted Bill No. 2-152 on first and second readings November 15, 1977 and November 29, 1977, respectively. Following expiration of the ten-day review period provided the Mayor pursuant to Section 404 (e) of the Act, during which no action was taken, this legislation was assigned Act No. 2-118, published in the December 30, 1977, edition of the D.C. Register and transmitted to both Houses of Congress 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 the following legislation as D.C. Law 2-54, effective March 16, 1978.



STERLING TUCKER  
Chairman of the Council

(Vol. 24, D.C. Register, 5334, December 30, 1977)

D.C. LAW

2-54

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 16, 1978

To provide relocation assistance, stabilize residential rents, provide eviction controls and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,  
That this act may be cited as the "Rental Housing Act of  
1977".

-2-

TABLE OF CONTENTS

TITLE I. DEFINITIONS

- 102 Definitions

TITLE II. RENT STABILIZATION PROGRAM

- 201 Continuation of Rental Accommodations Commission; Qualifications  
202 Duties of the Commission  
203 Rental Accommodations Office  
204 Duties of Rent Administrator  
205 Registration and Coverage  
206 Rent Ceiling  
207 Adjustments in the Rent Ceiling  
208 Qualifications for Increases Above the Base Rent  
209 Rent Ceiling Upon Termination of Exemption and for Newly-Covered Rental Units  
210 Capital Improvements  
211 Services and Facilities  
212 Hardship Petition  
213 Vacant Accommodations  
214 Adjustment Procedure  
215 Security Deposit  
216 Judicial Review

TITLE III. RENTAL SUPPLEMENT PROGRAM

- 301 Eligibility  
302 Rental Supplement Grants  
303 Administration  
304 Continued Eligibility  
305 Termination of Eligibility  
306 Tax Exemption

TITLE IV. REVENUE

- 401 Annual Rental Unit Fee

TITLE V. EVICTIONS AND RETALIATORY ACTION

- 501 Evictions

- 502 Retaliatory Action

-3-

TITLE VI. SALE OF RENTAL HOUSING

- 601 Sale of Single-Family Housing Accommodations
- 602 Sale of Housing Accommodation Comprised of Two or More Units
- 603 Conversion of a Housing Accommodation to a Cooperative
- 604 Conversion of a Housing Accommodation to Another Use
- 605 Amendments to the Condominium Act of 1976

TITLE VII. SUBSTANTIAL REHABILITATION OF HOUSING ACCOMMODATIONS FROM WHICH A TENANT WAS EVICTED

- 701 Applicability of Provisions
- 702 Petition for Adjustment in Rent Ceiling Due to Substantial Rehabilitation
- 703 Criteria for Approving Petitions
- 704 Amount of Adjustment in Rent Ceiling for Substantial Rehabilitation
- 705 Notice of Intent to Substantially Rehabilitate
- 706 Notice to Vacate for Substantial Rehabilitation
- 707 Tenant's Right to Re-rent

TITLE VIII. RELOCATION ASSISTANCE FOR TENANTS DISPLACED BY SUBSTANTIAL REHABILITATION OR DEMOLITION

- 801 Notice of Right to Relocation Assistance
- 802 Eligibility Requirements for Relocation Assistance
- 803 Relocation Assistance Payments
- 804 Relocation Advisory Services
- 805 Tenant Hot Line

TITLE IX. MISCELLANEOUS

- 901 Penalties
- 902 Severability
- 903 Supersession
- 904 Service
- 905 Effective Date
- 906 Termination

- 4 -

TITLE I

DEFINITIONS

Sec. 102. Definitions. For the purposes of this act:

(a) The term "base rent" means that rent legally charged or chargeable on October 31, 1977 for the rental unit which shall be the sum of rent charged on February 1, 1973 and all rent increases authorized for that rental unit by prior rent control laws or any administrative decision issued thereunder, or any rent increases authorized by a court of competent jurisdiction.

(b) The term "capital improvement" means an improvement or renovation other than ordinary repair, replacement or maintenance, the use of which continues beyond the twelve (12) month period beginning on the date of completion of such capital improvement.

(c) The term "Commission" means the Rental Accommodations Commission as continued by title II of this act.

(d) The term "Council" means the Council of the District of Columbia as established by section 401 of the "District of Columbia Self-Government and Governmental Reorganization Act", approved December 24, 1973 (87 Stat. 785; D.C. Code, sec. 1-141).

-5-

(e) The term "D.C. Law 1-33" means the "District of Columbia Rental Accommodations Act of 1975", as amended.

(f) The term "housing accommodation" means any structure or building in the District of Columbia containing one (1) or more rental units and the land appurtenant thereto. Such term shall not include any hotel, motel, or other structure, including any room therein, used primarily for transient occupancy and in which at least sixty percent (60%) of the rooms devoted to living quarters for tenants or guests are used for transient occupancy. For the purposes of this act, a rental unit shall be deemed to be used for transient occupancy if the landlord thereof is subject to and pays the sales tax imposed by section 47-2601(14) (a) (3) of the District of Columbia Code.

(g) The term "Housing Regulations" means the most recent edition of the Housing Regulations of the District of Columbia as established by the Commissioner's Order dated August 11, 1955 (C.O. No. 55-1503).

(h) The term "initial leasing period" means that period for which the first tenant of a rental unit rents such rental unit. For rental units described in section 205(a) (2) of this act, the first tenant is the tenant who rents such rental unit immediately following the issuance of the certificate of occupancy. For units described in

-6-

section 209 of this act, the first tenant is the tenant who rents such rental unit immediately after the date it is first offered for rent as a rental unit which is not otherwise exempt from this act.

(i) The term "landlord" means an owner, lessor, sublessor, assignee, any agent thereof or any other person receiving or entitled to receive rents or benefits for the use or occupancy of any rental unit within a housing accommodation within the District of Columbia.

(j) The term "management fee" means the amount paid to a managing agent and any pro rata salaries of off-site administrative personnel paid by the landlord: PROVIDED, That the duties of such personnel are connected with the operation of the housing accommodation.

(k) The term "market value" means the most recently assessed value of the housing accommodation as determined by the Mayor for real property tax purposes.

(l) The term "maximum possible rental income" means the sum of the rents for all rental units in the housing accommodation, whether occupied or not, computed over a base period of the consecutive twelve (12) months immediately preceding the date of any filing required or permitted under this act.

- 7 -

(o) The term "Mayor" means the Office of the Mayor of the District of Columbia as established under section 421 of the "District of Columbia Self-Government and Governmental Reorganization Act", approved December 24, 1973 (87 Stat. 789; D.C. Code, sec. 1-161).

(n) The term "Office" means the Rental Accommodations Office as provided in section 203(a) of this act.

(o) The term "operating expenses" means the expenses required for the operation of a housing accommodation for the consecutive twelve (12) month period immediately preceding the date of its use in any computation required by any provision of this act, including but not limited to expenses for salaries of on-site personnel, supplies, painting, maintenance and repairs, utilities, professional fees, on-site offices, and insurance.

(p) The term "other income which is derived from the housing accommodation" means any income, other than gross rents, which a landlord earns because of his or her ownership of a housing accommodation, including but not limited to fees, commissions, income from vending machines, income from laundry facilities, and income from parking and recreational facilities.

(q) The term "person" means an individual, corporation, partnership, association, joint venture, business entity, or

- 8 -

an organized group of individuals and their respective successors and assignees.

(r) The term "property taxes" means the amount levied by the government of the District of Columbia for real property tax on a housing accommodation during a tax year.

(s) The term "related facility" means any facility, furnishing, or equipment made available to a tenant by a landlord, the use of which is authorized by the payment of the rent charged for a rental unit, including any use of a kitchen, bath, laundry facility, parking facility, and the common use of any common room, yard or other common area.

(t) The term "related services" means services provided by a landlord, or required by law or by the terms of a rental agreement to be provided by a landlord, to a tenant in connection with the use and occupancy of a rental unit, including repairs, decorating and maintenance, the provision of light, heat, hot and cold water, air-conditioning, telephone answering and elevator services, janitorial services, and the removal of trash and refuse.

(u) The term "rent" means the entire amount of money, money's worth, benefit, bonus, or gratuity demanded, received, or charged by a landlord as a condition of occupancy or use of a rental unit, its related services, and its related facilities.

-9-

(v) The term "rent ceiling" means that amount defined in or computed under section 206 of this act.

(w) The term "rental unit" means any part of a housing accommodation as defined in section 102(f) of this act which is rented or offered for rent for residential occupancy and includes any apartment, efficiency apartment, room, single-family house (the land appurtenant thereto), and suite of rooms or duplex.

(x) The term "substantial rehabilitation" means any improvement to or renovation of a housing accommodation for which: (1) the building permit was granted on or after February 1, 1973; and (2) the total expenditure for the improvement or renovation equals or exceeds fifty percent (50%) of the market value of the housing accommodation before such rehabilitation.

(y) The term "tenant" includes a tenant, subtenant, lessee, sublessee, or other person entitled to the possession, occupancy or the benefits thereof, of any rental unit owned by another person.

(z) The term "uncollected rent" means the amount of rent(s) and other charges due for at least thirty (30) days but not received from tenants at the time any statement, form or petition is filed pursuant to this act.

- 10 -

(aa) The term "vacancy loss" means the amount of rent not collectable due to vacant units in a housing accommodation. No amount shall be included therein for units occupied by a landlord or his or her employees or otherwise not offered for rent.

(bb) The term "substantial violation" means the presence of any housing condition, the existence of which, violates the District of Columbia Housing Regulations, or any other statute or regulation relative to the condition of residential premises and may endanger or materially impair the health and safety of any tenant or person occupying the property.

## TITLE II

### RENT STABILIZATION PROGRAM

#### Sec. 201. Continuation of Commission; Qualifications.

(a) The District of Columbia Rental Accommodations Commission (hereinafter referred to as the "Commission") as established under section 101(a) of D.C. Law 1-33 is continued and shall be composed of nine (9) members appointed by the Mayor by and with the advice and consent of the Council. Members appointed to the Commission under this act shall each serve a two (2) year term. Three (3) members of the Commission shall represent the interests of

-11-

landlords, and each of the three (3) shall be a landlord of at least one (1) housing accommodation located in the District of Columbia. Three (3) members of the Commission shall be tenants who shall represent the interests of tenants, and three (3) members of the Commission shall be neither landlords nor tenants. All of the members of the Commission shall be residents of the District of Columbia and shall be members of no more than one (1) other District of Columbia Board or Commission.

(b) Individuals serving on the Commission on the effective date of this act shall remain in office until their successors are duly sworn into office. Members of the Commission presently serving shall be eligible for reappointment.

(c) The Mayor shall have the authority to remove any member from the Commission who fails to maintain the qualifications of a member or who fails to attend seventy percent (70%) of the regularly scheduled Commission meetings held within any six (6) month period.

(d) Any member who holds no other salaried public position shall receive compensation at the rate of fifty dollars (\$50.00) for each day such member is engaged in the actual performance of duties vested in the Commission:  
PROVIDED, That no member shall receive more than five

-12-

thousand and four hundred dollars (\$5,400.00) under this subsection in any one (1) calendar year.

(e) Five (5) members of the Commission shall constitute a quorum for the purpose of transacting business: PROVIDED, That one of the five (5) members is a landlord, one (1) is a tenant, and one (1) is neither a tenant nor a landlord. The Commission is authorized to delegate to any panel of three (3) or more members any appellate function which it may itself exercise: PROVIDED, That said panels are constituted with one (1) tenant, one (1) landlord, and one (1) who is neither a tenant nor a landlord.

(f) The Commission shall choose annually, from among its members who are neither tenants nor landlords, a Chairperson and Vice Chairperson. The Commission may choose from its membership such other officers as it deems necessary.

Sec. 202. Duties of the Commission.

(a) The Commission shall:

(1) promulgate, amend, and rescind rules and procedures for the administration of this act; and

(2) decide appeals brought to it from decisions of the Rent Administrator.

(b) The Commission and the Rent Administrator shall collect and report data on the effects that the provisions

of this act have on the price, quantity and quality of rental housing in the District of Columbia.

(c) The Commission, with the assistance of the Rental Accommodations Office, shall report to the Council annually on the fiscal year basis utilized by the government of the District of Columbia, not later than November 15 of each year. This report shall cover the preceding twelve (12) months, except that the report to be filed November 15, 1978 will cover the period from March 21, 1977. The first report shall include any changes in operating costs occurring during the period from the last report, and any known court mandated future rent increases. The annual report shall include the number of hardship petitions filed and the number of hardship petitions granted. This information shall be broken down by ward and shall indicate whether the affected housing accommodations are single-family (comprising one rental unit), flat (comprising four or less rental units), or multi-family (comprising four or more rental units). Further, the report shall include findings with respect to, but not limited to, taxes, fees and permits; water and sewer service charges; heating oil; electricity; natural gas; building maintenance; contracted services, including parts and supplies; payroll costs; repair costs; insurance; management fees; and general

- 14 -

administrative costs. To the extent possible, the report shall also address the quantity, quality and price of the rental housing stock in the District of Columbia and any effect the provisions of this act may have had thereon as demonstrated by statistical evidence. Findings included in the Commission's report shall be based in part on testimony presented by both landlords and tenants given at public hearings. Such other documentation and analysis as may be required to support the Commission's findings shall also be included.

(d) Based on the findings made by the Commission for the report required by subsection (c) of this section the Commission shall, as a part of such report, make the determination authorized by section 206(b) of this act and may make recommendations to the Council for legislative action.

(e) (1) The Commission may hold such hearings, sit and act at such times and places within the District of Columbia, administer such oaths, and require by subpoena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents as the Commission may deem advisable in carrying out its functions under this act.

- 15 -

(2) In the case of contumacy or refusal to obey a subpoena issued under section 202(e)(1) of this act by any person who resides, is found or transacts business within the District of Columbia, the Superior Court of the District of Columbia, at the written request of the Commission, shall have jurisdiction to issue the person an order requiring the person to appear before the Commission, there to produce evidence if so ordered or there to give testimony touching upon the matter under inquiry. Any failure of the person to obey any order of the Superior Court of the District of Columbia may be punished by that court as contempt thereof.

(f) Upon the written request of the Chairperson of the Commission, each department or entity of the government of the District of Columbia is authorized to furnish directly to the Commission such assistance and information, as may be necessary for the Commission to effectively carry out this act.

Sec. 203. Rental Accommodations Office.

(a) There is hereby continued as an agency of the government of the District of Columbia, within the Executive Office of the Mayor, a Rental Accommodations Office which shall have as its head a Rent Administrator to be appointed by the Mayor.

(b) The Rent Administrator shall possess experience of a technical nature in landlord-tenant affairs or in a field directly related thereto, shall be a resident of the District of Columbia and shall be entitled to receive annual compensation (payable in regular installments) at the rate of grade 15 of the General Schedule under section 5332 of title 5 of the United States Code.

Sec. 204. Duties of the Rent Administrator.

(a) The Rent Administrator shall carry out, according to rules and procedures established by the Commission under section 202(a)(1) of this act, the rent stabilization program established under title II of this act and shall perform such other duties as may be necessary, appropriate and consistent with the provisions of this act.

(b) The Rent Administrator or his or her designee shall have jurisdiction over those complaints and petitions arising under titles II, V, VI and VII of this act which may be disposed of through administrative proceedings.

(c) The Rent Administrator shall propose an annual budget and recommend such staff as will enable the Office and the Commission to carry out the appropriate provisions of this act.

(d) (1) The Rent Administrator may employ, with such funds as may be available to the Rent Administrator, such

personnel and consultants, including hearing examiners and legal counsel, as are necessary to carry out the provisions of this act.

(2) In accordance with the regulations promulgated by the Commission, the Rent Administrator may delegate authority to those employees appointed in conformity with section 204(d)(1) of this act. Such authority may include, but is not limited to hearing administrative petitions filed or initiated under this act, issuing those decisions and rendering final orders on any petition heard by the employee.

(e) The Rent Administrator shall assist and provide staff support to the Commission in the preparation of the annual report required by section 202(c) of this act.

(f) The Rent Administrator or his or her designee shall attend all meetings of the Commission, and shall make available to the Commission such books, reports, and data collected and whatever staff support the Commission may require in order to effectively carry out its duties under this act.

(g) (1) The Rent Administrator shall have the power to hold hearings, sit and act at those times and places within the District of Columbia, administer oaths, and require by subpoena or otherwise the attendance and testimony of

-18-

witnesses and the production of books, records, correspondence, memoranda, papers and documents as the Rent Administrator may deem necessary in carrying out his or her functions under this act.

(2) In the case of contumacy or refusal to obey a subpoena issued under section 204(g)(1) of this act by any person who resides, is found, or transacts business within the District of Columbia, the Superior Court of the District of Columbia, at the written request of the Rent Administrator, shall have jurisdiction to issue to such person an order requiring such person to appear before the Rent Administrator, there to produce evidence if so ordered, or there to give testimony touching upon the matter under inquiry. Any failure of such person to obey any order of the Superior Court of the District of Columbia may be punished by that court as contempt thereof.

(h) Upon the written request of the Rent Administrator, each department or entity of the government of the District of Columbia is authorized to furnish directly to the Rent Administrator such assistance and information as may be necessary to effectively discharge the functions required under this act.

(i) The Rent Administrator shall publish within sixty (60) days after the effective date of this act a booklet or

other such written material describing tenants' and landlords' rights, obligations, and procedures pursuant to this act. This material shall be distributed through the District of Columbia libraries and other District of Columbia offices in which the public has frequent contact and at the office of any community organization which requests to distribute such material.

Sec. 205. Registration and Coverage.

(a) Section 205(d) through section 216 (except section 215) of this act shall apply to each rental unit in the District of Columbia except:

(1) any rental unit in any federally or District owned housing accommodation; or in any housing accommodation with respect to which the mortgage or rent is federally or District subsidized except units subsidized pursuant to title III of this act;

(2) any rental unit in a housing accommodation for which the initial certificate of occupancy was issued after February 2, 1973, but such exclusion shall be effective only during the length of the initial leasing period or for the first year of tenancy, whichever is shorter;

(3) any rental unit in any newly-constructed housing accommodation for which the building permit was issued on or after January 1, 1976: PROVIDED, HOWEVER, That

-20-

this exemption shall not apply to any housing accommodation, the construction of which required the demolition of any housing accommodation subject to this act, unless the number of newly-constructed rental units exceeds the number of demolished rental units;

(4) any rental unit in any housing accommodation of four (4) or fewer units, including any aggregate of four (4) units whether within the same structure or not:

PROVIDED, That:

(A) such housing accommodation is owned by not more than four (4) natural persons;

(B) none of such owners has an interest either directly or indirectly, in any other rental unit in the District of Columbia; and

(C) the owner(s) of such housing accommodation shall file with the Rent Administrator a claim of exemption statement which shall consist of an oath or affirmation by such owner(s) of the valid claim to the exemption. The claim of exemption statement shall also contain the signatures of each person having an interest (direct or indirect) in the housing accommodation. Any change in the ownership of the exempted housing accommodation or change in the owner's interest in any other housing accommodation which would invalidate the exemption

-21-

claim must be reported in writing to the Rent Administrator within thirty (30) days of such change;

(5) any housing accommodation which has been continuously vacant and not subject to a rental agreement for a period of at least six (6) months: PROVIDED, That January 1, 1977 falls within such six (6) month period and that such housing accommodation has not been rented or offered for rent since the beginning of the required vacancy period of at least six (6) months, and: PROVIDED, FURTHER, That upon re-rental such housing accommodation is in substantial compliance with the Housing Regulations when offered for rent.

(b) Prior to the execution of a lease or other rental agreement after the effective date of this act, a prospective tenant of any unit exempted under section 205(a) of this act shall receive a notice in writing advising him or her that rent increases for the accommodation are not regulated by the Rent Stabilization Program.

(c) This act shall not apply to the following rental units:

(1) any rental unit in an establishment which has as its primary purpose the providing of diagnostic care and treatment of diseases, including, but not limited to

-22-

hospitals, convalescent homes, nursing homes, and personal care homes;

(2) any dormitory of an institution of higher education or of a private boarding school in which rooms are provided for students.

(d) Within not more than ninety (90) days following the effective date of this act, each landlord of any rental unit not exempted by this act shall file with the Rent Administrator, on a form approved by the Rent Administrator, a new registration statement for each housing accommodation in the District of Columbia for which he or she is receiving rent or is entitled to receive rent. The registration form shall contain, but not be limited to:

(1) for each accommodation requiring a housing business license, the date(s) and number(s) of that housing business license and the certificates of occupancy, where required by law, issued by the government of the District of Columbia, and a copy of each license and certificate;

(2) for each accommodation not required to obtain a housing business license, the information contained therein and the date and number of the certificates of occupancy issued by the government of the District of Columbia, and a copy of each certificate;

-23-

(3) the base rent for each rental unit in the accommodation, the related services included, and the related facilities and charges therefor;

(4) the number of bedrooms in the housing accommodation;

(5) a list of any outstanding violations of the housing code applicable to such accommodation, or an affidavit that there are no known outstanding violations; and

(6) the rate of return for the housing accommodation and the computations made by the landlord to arrive at such rate of return by application of the formula provided in section 212 of this act.

(e) An amended registration statement shall be filed by each registrant under this law, within thirty (30) days of any event which changes or substantially affects the rents, services, facilities or the ownership or management of any rental unit in a registered housing accommodation:

PROVIDED, That no such amended registration statement shall be required for a change in rent pursuant to section 206 of this act.

(f) Each registration statement filed under this section shall be available for public inspection at the Office, and each landlord shall keep a duplicate of the

-24-

registration statement posted in a public place on the premises of the housing accommodation to which such registration statement applies: PROVIDED, That each landlord may, in lieu of posting in each housing accommodation comprised of a single rental unit, mail to each tenant of such housing accommodation a duplicate of the registration statement.

(g) Each registration statement filed under this section which meets the minimum requirements established by this act and by the rules of procedure of the Commission, shall be assigned a registration number.

(h) Each certificate of occupancy and each housing business license issued to any landlord in the District of Columbia after the effective date of this act shall contain the registration number of the housing accommodation to which such certificate or license applies.

Sec. 206. Rent Ceiling.

(a) Except to the extent provided in section 206(b) of this act, no landlord of any rental unit subject to this act may charge or collect rent for such rental unit in excess of the amount computed by adding to the base rent not more than one (1) of the following percentages, whichever is applicable:

(1) two percent (2%), if the rent covers the cost of no fuel or utilities;

(2) seven percent (7%), if the rent covers the cost of heat and hot water;

(3) eight percent (8%), if the rent covers the cost of heat, hot water and general purpose electricity, but does not cover air-conditioning and other cooking fuel;

(4) nine percent (9%), if the rent covers the cost of heat, hot water, general purpose electricity, and other cooking fuel but does not cover air-conditioning; or

(5) ten percent (10%), if the rent covers the cost of heat, hot water, general purpose electricity, other cooking fuel and air-conditioning.

(b) The Commission is authorized by this section to determine at the time it makes the annual report pursuant to section 202(c) whether there shall be adjustment of general applicability in the rent ceilings established by section 206(a) of this act. If the Commission determines that such adjustments are warranted, the Commission shall also determine the manner in which such adjustments are to be made and the percentage amount of the adjustment: PROVIDED, That the percentage does not exceed the rate of change in the Consumer Price Index in the preceding twelve (12) months. In making this determination, the Commission shall

consider the operating cost ratio, which is computed by dividing the average operating expenses of all housing accommodations by the average rental income of all housing accommodations. The Commission may use the landlord registration statements filed under section 205(d) of this act and section 202 of the Rental Accommodations Act of 1975 (D.C. Code, sec. 45-1642) in ascertaining this ratio. The Commission may use scientifically based random samples in ascertaining this ratio. The Commission may contract with a private agency or other government agency to ascertain this ratio. If such a determination is made, a landlord may implement this adjustment in the rent ceiling for a rental unit covered by title II of this act only after twelve (12) consecutive calendar months have elapsed since the effective date of an adjustment in the rent ceiling for that rental unit permitted by section 206(a) of this act.

(c) At the landlord's election, in lieu of any adjustment authorized by subsections (a) and (b) of section 206 of this act, the rent ceiling for an accommodation may be adjusted through a hardship petition pursuant to section 212 of this act. Such a petition shall be clearly identified as an election in lieu of the general adjustments authorized by subsections (a) and (b) of section 206 of this act. The Rent Administrator shall accord an expedited

review process for such petitions and shall issue and publish a final decision within ninety (90) days after the petition has been filed. In the case of any petition filed under this subsection as to which a final decision has not been rendered by the Rent Administrator or his designee at the end of ninety (90) days from the date of filing thereof (and as to which the landlord is not in default in complying with any information request made under section 214(c) of this act), the rent ceiling adjustment requested in the petition may be conditionally implemented by the landlord at the end of such ninety (90) day period. Such conditional rent ceiling adjustment shall be subject to subsequent modification by the final decision of the Rent Administrator or his designee on the petition: PROVIDED, HOWEVER, That if a hearing has been held on the petition, the Rent Administrator or his designee shall, by order served upon the parties at least ten (10) days prior to the expiration of such ninety (90) days, make a provisional finding as to the rent ceiling adjustment justified by the petition; and if he does so, the landlord may implement only the amount of the rent ceiling adjustment authorized by the said order, if any. Except to the extent modified herein, the adjustment procedures of section 214 of this act shall apply to any adjustment.

(d) If on the effective date of this act the rent being charged exceeds the allowable rent ceiling, that rent shall be reduced to the allowable rent ceiling effective the next date that the rent is due: PROVIDED, That this subsection shall not apply to any rent administratively approved under D.C. Law 1-33 as amended, or any rent increase authorized by a court of competent jurisdiction. The landlord shall notify the tenant in writing of any decrease required pursuant to this act prior to the effective date of the decrease.

(e) A tenant may challenge a rent adjustment implemented pursuant to subsections (a) and (b) of section 206 of this act by filing a petition with the Rent Administrator under section 214 of this act.

Sec. 207. Adjustments in the Rent Ceiling.

The rent ceiling for a particular rental unit computed according to the procedures specified in section 206 may be increased or decreased, as the case may be:

(a) according to section 210 of this act to allow for the cost of capital improvements;

(b) according to section 211 of this act to allow for any increase or decrease of related services and facilities;

(c) according to any final order of hardship adjustment permitted under section 212(c) of this act; or

-29-

(d) according to section 213 of this act as the result of a voluntary vacancy.

Sec. 208. Qualifications for Increases Above the Base Rent.

(a)(1) Notwithstanding any provision of this act, the rent for any rental unit shall not be increased above the base rent unless (A) the rental unit and the common elements are in substantial compliance with the Housing Regulations: PROVIDED, That such noncompliance is not the result of tenant neglect or misconduct. Evidence of such substantial noncompliance shall be limited to housing code violation notice(s) issued by the District of Columbia Department of Housing and Community Development and such other offers of proof as the Commission may deem acceptable through its rule-making procedures; (B) the housing accommodation is registered in accordance with section 205(d) of this act; (C) the landlord of such housing accommodation is properly licensed pursuant to the Housing Regulations if such regulations require his or her licensing; (D) the manager of such accommodation, when other than the owner, is properly registered pursuant to the Housing Regulations if such regulations require his or her registration; (E) notice of such increase complies with sections 203(g) and 904 of this act.

- 30 -

(2) Where the Rent Administrator finds that there have been excessive and prolonged violations of the Housing Regulations affecting the health, safety and security of the tenants or the habitability of the housing accommodation in which such tenants reside and that the landlord has failed to correct such violations, the Rent Administrator may roll back the rents for the affected rental units to an amount which shall not be less than the February 1, 1973 base rent for such rental units until such time as the violations have been abated.

(b) A housing accommodation and each of the rental units therein shall be deemed to be in substantial compliance with the Housing Regulations:

(1) if, for purposes of the adjustments made in the rent ceiling in section 206 of this act, all substantial violations cited at the time of the last inspection of the housing accommodation prior to the effective date of the increase by the Department of Housing and Community Development were abated within a forty-five (45) day period following the issuance of the citation(s), or that time granted by the Department of Housing and Community Development, and the Department of Housing and Community Development has certified the abatement, or the owner or the

tenant has certified the abatement and has presented evidence to substantiate such certification; and

(2) if, for purposes of the filing of petitions for adjustments in the rent ceiling as prescribed in section 214 of this act, the housing accommodation and each of the rental units therein have been inspected at the request of each landlord by the Department of Housing and Community Development within the thirty (30) days immediately preceding the filing of a petition for adjustment.

(c) If seventy percent (70%) of the tenants of a housing accommodation sign an agreement filed with the Rent Administrator to have the rent ceiling for each rental unit in the housing accommodation adjusted by a specified percentage, the Rent Administrator shall immediately certify the Rent Administrator's approval of the increase. The agreement shall include the signature of each tenant, the number of each tenant's rental unit or apartment, and a statement that the agreement with the landlord was entered into voluntarily without any form of coercion on the part of the landlord of the housing accommodation.

(d) A tenant of a housing accommodation who after receipt of no less than five (5) days' written notice that the landlord desires an inspection of the tenant's rental unit for the purpose of determining whether the housing

accommodation is in substantial compliance with the Housing Regulations, refuses without good cause to admit or cause to be admitted an employee of the Department of Housing and Community Development for the purpose of inspecting the tenant's rental unit, or who refuses without good cause to admit or to cause to be admitted the landlord or the landlord's employee or contractor for the purpose of abating any violation of the Housing Regulations cited by the Department of Housing and Community Development, shall waive the right to challenge the validity of the proposed adjustment for reasons that the rental unit occupied by such tenant is not in substantial compliance with the Housing Regulations.

(e) Nothing in this section shall be construed to limit or abrogate a tenant's right to initiate any lawful action to correct any violation in the tenant's rental unit or in the housing accommodation in which that rental unit is located.

(f) Notwithstanding any other provision of this act, no rent shall be adjusted under this act for any rental unit with respect to which there is a valid written lease or rental agreement establishing the rent for such rental unit for the term of such written lease or rental agreement.

- 33 -

(g) Any notice of an adjustment pursuant to section 206 of this act shall contain the registration number required by section 205(d) of this act, a statement of the current rent, the increased rent, and the utilities covered by the rent which justify the adjustment or other justification for the rent increase.

(h) No adjustments in rent under this act may be implemented unless and until a full one hundred and eighty (180) days have elapsed since any prior adjustment.

Sec. 209. Rent Ceiling Upon Termination of Exemption and For Newly-Covered Rental Units.

(a) The rent ceiling for any rental unit in a housing accommodation exempted by section 205 of this act from the provisions of sections 205(d) through section 216 (except section 215) of this act upon the expiration or termination of such exemption shall be the rent charged during the last six (6) consecutive months of the exemption, increased by no more than five percent (5%) of the rent charged during the last six (6) consecutive months of the exemption. The increase may be effected only in accordance with the procedures specified in sections 208(g) and 904 of this act.

(b) A structure or building, including the land appurtenant thereto, which is located in the District of Columbia in which one (1) or more rental units as defined in

- 34 -

section 102(w) of this act is established after the effective date of this act, shall be thereafter defined as a housing accommodation for the purposes of this act. If any rental unit in such a housing accommodation is not otherwise exempted by one (1) of the provisions of section 205 of this act, the rent ceiling for the initial leasing period or the first year of tenancy, whichever is shorter, shall be determined by the landlord and is deemed to be the equivalent of making the computations specified in section 206(a) of this act.

Sec. 210. Capital Improvements.

(a) On a petition by the landlord, a rent adjustment to provide for the cost of capital improvements, amortized over the useful life of such improvements or according to Internal Revenue Service guidelines, and applied on an equal basis to those rental units within the housing accommodation which benefit from such an improvement, shall be approved by the Rent Administrator: PROVIDED, That:

(1) (A) the improvement would protect, or enhance the health, safety or security of the tenant or the habitability of the housing accommodation; or

(B) the improvement will effect a saving in the use of energy by the housing accommodation or is intended to comply with applicable environmental protection regulations:

PROVIDED, That any savings on energy are passed on to the tenants; and

(2) (A) the amortized cost will not increase rents (aside from any increases otherwise provided for in this title) for a unit benefitting from the improvement in excess of ten percent (10%) of the rent charged before the completion of the improvement; or

(B) the Rent Administrator is satisfied based on the Rent Administrator's review and/or bearing of a petition filed under this section and such other information or survey of the affected tenants as the Rent Administrator may require that the interests of the affected tenants are being protected. A finding that the affected tenants desire the capital improvement and have agreed to the rent adjustment required to finance the capital improvement may be evidence that the interests of the tenants are being protected.

(b) Plans, contracts, specifications and permits relating to such capital improvements shall be retained for one (1) year by the landlord or his or her designated agent for such inspection by affected tenants as such tenants may request at the landlord's place of business in the District of Columbia during working hours. If the landlord does not have a place of business in the District of Columbia, the plans, contracts, specifications and permits relating to the

-36-

capital improvements shall be made available upon request by the affected tenants at the Rental Accommodations Office.

(c) Action by the Rent Administrator on a rent adjustment pursuant to this section shall be taken within sixty (60) days of receipt of plans for the capital improvement approved by the appropriate District of Columbia agency or agencies.

Sec. 211. Services and Facilities. If the Rent Administrator determines that the related services or related facilities supplied by a landlord for a housing accommodation or for any rental unit therein are substantially increased or decreased, the Rent Administrator may increase or decrease the rent ceiling, as applicable, so as to proportionally reflect the value of the change in services or facilities.

Sec. 212. Hardship Petition.

(a) Where an election has been made pursuant to section 206(c) of this act to seek a rent adjustment through a hardship petition, the Rent Administrator shall, after review of the figures and computations set forth in the landlord's petition, allow such additional increases in rent as would generate no more than an eight percent (8%) rate of return computed according to section 212(b) of this act.

-37-

(b) In determining the rate of return for each housing accommodation, the following formula, computed over a base period of the consecutive twelve (12) months immediately preceding the filing of a petition under this act, shall be used to:

(1) obtain the net income by subtracting from the sum of maximum possible rental income which can be derived from a housing accommodation and the maximum amount of all other income which can be derived from the housing accommodation the following:

(A) the operating expenses: PROVIDED, That the following items shall not be allowed as operating expenses: (i) membership fees in organizations established to influence legislation and regulations; (ii) contributions to lobbying efforts; (iii) contributions for legal fees in the prosecution of class action cases; (iv) political contributions to candidates for office; (v) mortgage principal and interest payments; (vi) maintenance expenses for which the landlord has been reimbursed by any security deposit, insurance settlement, judgment for damages, agreed upon payments or any other method; (vii) attorney's fees charged for services connected with counseling or litigation related to actions brought by the government of the District of Columbia due to the landlord's repeated failure to comply

with applicable Housing Regulations as evidenced by housing code violation notices issued by the Department of Housing and Community Development; and (viii) any expenses for which the tenant has lawfully paid directly;

(B) the management fee, where applicable, of no more than six percent (6%) of the maximum rental income of the housing accommodation unless an additional amount is approved by the Rent Administrator pursuant to section 212(b) (1) (B) (i) of this act;

(i) if in the computation of a rate of return, a landlord seeks to deduct a management fee in excess of six percent (6%) of the maximum possible rental income, the landlord shall first file with the Rent Administrator a petition to allow the excess to be deducted. The petition shall contain such information as the Rent Administrator may require, including, but not limited to, the name of the payee. Only so much of the excess over six percent (6%) of the maximum possible rental income as is approved by the Rent Administrator shall be deducted.

(ii) if the Rent Administrator determines based on the petition and such other information as the Rent Administrator may require that the excess or part thereof is reasonable, the Rent Administrator may

permit the same excess or so much of the excess as is reasonable;

(C) property taxes;

(D) depreciation expenses (computed on a straight line basis) of no more than two percent (2%) of the assessed value of the building as determined by the Mayor; no depreciation may be deducted for the value of land;

(E) vacancy losses for the housing accommodation; and

(F) uncollected rents.

(2) divide the net income by the market value of the housing accommodation to determine the rate of return.

(c) If after any increase which may be authorized pursuant to this act, the landlord can show a negative cash flow for a particular housing accommodation after consideration of debt service, the Rent Administrator, upon a petition filed by the landlord, may allow such additional increases in rent as will provide a one-quarter of one percent (1/4%) cash flow based on the maximum possible rental income for the housing accommodation: PROVIDED, That in the consideration of such petition(s), the Rent Administrator shall consider the degree of hardship which the requested increase will place upon the tenants of the housing accommodation.

Sec. 213. Vacant Accommodation.

(a) Notwithstanding subsection (b) of section 208 of this act, when a tenant vacates a rental unit on his or her own initiative or as a result of a notice to vacate for any of the following causes: (1) nonpayment of rent; (2) violation of an obligation of his or her tenancy; or (3) use of the accommodation for an illegal purpose or purposes as determined by a court of competent jurisdiction, then, the rent ceiling may, at the election of the landlord, be adjusted to either (A) the rent ceiling which would otherwise be applicable to such rental unit under this act plus three percent (3%) thereof, or (B) the rent ceiling of a substantially identical rental unit in the same housing accommodation: PROVIDED, That no increase under this section shall be permitted unless the housing accommodation has been registered under section 205(b) of this act.

(b) For the purposes of this section, rental units shall be defined to be "substantially identical" where they contain essentially the same square footage, essentially the same floor plan, comparable amenities and equipment, comparable locations with respect to exposure and height (if exposure and height have previously been factors in the amount of rent charged), and are in comparable physical condition.

Sec. 214. Adjustment Procedure.

(a) The Rent Administrator or his or her designee shall consider adjustments allowed by sections 210, 211 and 212 of this act, or a challenge to a section 206 adjustment, upon a petition filed with him or her by the landlord or tenant of such rental unit. Such petition shall be filed with the Rent Administrator on a form provided by the Rent Administrator containing such information as the Rent Administrator or the Commission may require. The Rent Administrator or his or her designee shall issue a decision and an order approving or denying, in whole or in part, each petition within one hundred and twenty (120) days after such petition is filed with the Rent Administrator. Such time may be extended only by written agreement between the landlord and tenant of such rental unit.

(b) Upon receipt of such petition, the Rent Administrator or his or her designee shall notify the non-petitioning party (landlord or tenant) by certified mail or any other form of service which assures delivery of such petition and of the right of either party to make, within fifteen (15) days after the receipt of such notice, a written request for a hearing on the petition. If a hearing is timely requested by either party, notice of the time and place of the hearing shall be furnished the parties by

certified mail or any other form of service which assures delivery at least fifteen (15) days before the commencement of such hearing. Such notice shall inform each of the parties of his or her right to retain legal counsel to represent him or her at the hearing.

(c) Each landlord of any rental unit with respect to which a petition is filed or initiated under this section shall submit to the Rent Administrator or the Rent Administrator's designee, within fifteen (15) days after demand therefor is made, an information statement, on a form approved by the Rent Administrator, containing the information the Rent Administrator or the Commission may require.

(d) The Rent Administrator or his or her designee may consolidate petitions and hearings relating to rental units in the same housing accommodation.

(e) The Rent Administrator or his or her designee may, without holding a hearing, refuse to adjust the rent ceiling for any rental unit, and may dismiss any petition for adjustment, if a final decision has been made on a petition filed under this section or under section 212 of D.C. Law 1-33 for adjustment as to the same rental units within the six (6) months immediately preceding the filing of the pending petition.

(f) All petitions filed under this section, all hearings held relating thereto, and all appeals taken from decisions of the Rent Administrator or his or her designee, shall be considered and held according to the provisions of this section and to the "District of Columbia Administrative Procedure Act" (D.C. Code, sec. 1-1501 et seq.). In the case of any direct, irreconcilable conflict between the provisions of this section and the "District of Columbia Administrative Procedure Act", the "District of Columbia Administrative Procedure Act" shall apply.

(g) Decisions of the Rent Administrator or his or her designee shall be made on the record relating to any petition filed with him or her. An appeal from any decision of the Rent Administrator or his or her designee may be taken by the aggrieved party to the Commission within ten (10) days after the decision of the Rent Administrator or his or her designee; or the Commission may review a decision of the Rent Administrator or the Rent Administrator's designee on its own initiative. The Commission may reverse, in whole or in part, any decision of the Rent Administrator or the Rent Administrator's designee which it finds to be arbitrary, capricious, an abuse of discretion, not in accordance with the provisions of this act, or unsupported by substantial evidence in the record of the proceedings.

-44-

before the Rent Administrator or his or her designee; or it may affirm, in whole or in part, the Rent Administrator's or his or her designee's decision. The Commission shall issue a decision with respect to an appeal within thirty (30) days after such an appeal was filed.

(h) No increase in rent allowed under this act shall be implemented unless the tenant concerned has been given written notice pursuant to section 904 of this act.

(i) A copy of any decision made by the Rent Administrator or his or her designee, or by the Commission under this section shall be mailed by certified mail or any other form of service which assures delivery to the parties to such decision.

(j) The Rent Administrator and, where applicable, the Commission, shall accord priority to a landlord hardship petition covering a housing accommodation for which the federal government is entitled to approve rent increases, where processing of such a petition has not begun within the thirty (30) days immediately following the filing of the petition. Processing of such petition(s) shall begin no later than five (5) days after receipt by the Rent Administrator of written requests from the landlord and from the federal agency.

-45-

Sec. 215. Security Deposit. No person shall demand or receive a security deposit for any rental unit where no security deposit was demanded or received for such rental unit upon the effective date of this act.

Sec. 216. Judicial Review. Any person or class of persons aggrieved by a decision of the Commission, or by any failure on the part of the Commission or Rent Administrator to act within any time certain mandated by this act, may seek judicial review of such decision or an order compelling such decision by filing a petition for review in the District of Columbia Court of Appeals. The Commission or the Rent Administrator may commence a civil action to enforce any rule or decision issued by them.

### TITLE III

#### RENTAL SUPPLEMENT PROGRAM

Sec. 301. Eligibility. (a) The rental supplement provided by this title shall be available to any tenant of a rental unit in the District of Columbia:

(1) who is a bona fide resident of a rental unit in the District of Columbia pursuant to regulations promulgated by the Mayor, or the Mayor's designee;

-46-

(2) whose current annual income (combined with the income of all other persons residing in such rental unit) does not exceed the eligibility income limits established by the District of Columbia for persons eligible to receive housing assistance payments pursuant to section 517(h) of the "Condominium Act of 1976", (L.C. Law 1-89);

(3) whose rent (determined without regard for the rental assistance provided herein) and utilities (utilities for the purpose of this section shall include heating fuel, water and sewer, general purpose electricity and cooking fuel) (to the extent paid by such tenant) exceed thirty-five percent (35%) of the combined gross income of all persons residing in such rental unit; and

(4) whose total assets (combined with the assets of all other persons residing in such rental unit), excluding cash surrender value in any life insurance policy in an amount of twenty-five thousand dollars (\$25,000.00) or less, personal clothing, automobile, furniture, and furnishings, do not exceed ten thousand dollars (\$10,000.00) in value.

(b) Notwithstanding any other provision in this section, no tenant shall be eligible to receive rental supplements hereunder if any person residing in the rental unit:

-47-

(1) is receiving monetary assistance either directly or indirectly under the Aid to Families with Dependent Children Program (42 U.S.C.A. sec. 600, et seq.) as amended, Aid to the Blind and Aid to the Totally and Permanently Disabled (42 U.S.C.A. sec. 1318, et seq.) as amended, or such other public assistance programs as may be specified by the Mayor: PROVIDED, HOWEVER, That a tenant receiving benefits under the Social Security Program, Old Age Survivors and Disability Income (42 U.S.C. sec. 402-31), as amended, shall not by reason of the receipt of such benefits be deemed ineligible under this paragraph; or

(2) is receiving monetary assistance under provisions of the "Condominium Act of 1976" (L.C. Law 1-89); or

(3) is residing in a publicly or privately owned rental unit administered, operated, maintained, or subsidized, in whole or in part, by an instrumentality or agency of the government of the District of Columbia or federal government: PROVIDED, HOWEVER, That a tenant who resides in a single-family rental accommodation financed under the federally insured programs of the Federal Housing Administration (Chapter 37, Title 38 U.S.C.), as amended, shall not by reason of such residence be deemed ineligible under this title.

-48-

(c) No tenant receiving rental supplements under this title shall claim a tax credit under the provisions of section 8 of the "District of Columbia Income and Franchise Tax Act of 1947" (D.C. Code, sec. 47-1567g), as amended, for rent paid during the period for which such tenant received assistance hereunder.

(d) Notwithstanding any other provision of this act, no tenant shall be initially eligible to receive rental supplements hereunder if the rent being paid exceeds the following amounts:

Number of Non-Elderly or Non-Handicapped Persons Residing in Unit	Rent Being Paid Per Month
1	170
2	205
3	307
4	340
5	374
6	409

-49-

For Senior Citizens or  
Handicapped, Number of  
Persons Residing in Unit

1	307
2	307
3	307
4-6	same as non-elderly table above.

No person shall be deemed ineligible to continue to receive rental supplements under this title because a rent adjustment authorized pursuant to this act after the time the initial rent supplement was granted causes the rent paid per month to exceed the maximum allowable amount as set in this subsection. However, in computing the amount of the rent supplement, that part of the rent which exceeds the maximum amount allowable under this subsection shall not be considered in the computation of the rental supplement. These limits shall be revised annually by the Mayor to reflect the average annual increase in rental housing costs in the District of Columbia.

(e) For the purpose of this title the term "gross income" shall mean all items considered income for District of Columbia or federal tax purposes, and all other monies or payments received by any individual residing in the rental

-50-

unit, including, but not limited to, social security benefits, unemployment benefits, workman's compensation, state benefits, alimony and child support, pensions retirement benefits, annuities, monetary gifts in excess of three hundred dollars (\$300.00) and such other sums as the Mayor or the Mayor's designee shall from time to time determine.

Sec. 302. Rental Supplement Grants. (a) The Mayor is hereby authorized to make rental supplement grants available on a yearly basis to eligible renters in accordance with the provisions of this title. The amount of such yearly rental supplement grant shall be determined by subtracting thirty-five percent (35%) of the combined gross income of all persons residing in such rental unit from the yearly rent due on that unit: PROVIDED, HOWEVER, That in no case shall such grant exceed fifteen percent (15%) of the gross annual rent.

(b) On or before the twentieth (20th) day of each month preceding the month in which rent on the rental unit is due, the Mayor shall forward one-twelfth (1/12) of such rental supplement grant (rental supplement payment) directly to the eligible renter at the address of the unit indicated on the renter's application form.

(c) Each rental supplement payment shall be in the form of a check drawn against the depositories of the District of Columbia and shall be payable jointly to the applicant and (as indicated on the application form) the landlord or designee entitled to receive rental payments for the applicant's unit.

(d) Each rental supplement payment check shall be drawn in such a manner as to become void forty-five (45) days after its issuance.

Sec. 303. Administration. (a) The Mayor shall administer the Rental Supplement Program established by this title.

(b) The Mayor shall have the authority and power to promulgate, amend, rescind and enforce such rules, regulations and procedures for the administration of this title as are consistent with the provisions of this title.

(c) Application for a rental supplement grant shall be submitted to the Mayor and shall be on a form as designated by the Mayor. Such form shall conform insofar as possible to forms used by the federal government for its rental assistance programs. The applicant shall execute such form under oath or affirmation as to the truth of the matters contained therein. Additional verification procedures may be required as are necessary to ensure that the information

-52-

contained in such forms is accurate, including, but not limited to, certified copies of tax returns of all those residing in the unit, statements of net worth of all those residing in the unit, copies of leases, rent receipts or cancelled checks, and verification of benefits from the Social Security Administration.

(d) The Mayor shall review the application and determine, in a timely fashion, the eligibility of the applicant. The applicant shall be notified in writing of approval or disapproval of the application stating the reasons for any findings of ineligibility.

(e) Action on all applications filed under this title, any hearings held relating thereto, and all appeals taken from decisions of the Mayor shall be considered and held according to the rules and regulations established under this title and the "District of Columbia Administrative Procedure Act" (D.C. Code, sec. 1-1501 et seq.). In the case of any direct and irreconcilable conflict between such rules and the "District of Columbia Administrative Procedure Act" the provisions of the "District of Columbia Administrative Procedure Act" shall govern.

(f) To the extent practical, all information provided by an applicant shall be confidential and shall not be

-53-

disclosed in such a form as to identify the rent subsidy grant applicant.

Sec. 304. Continued Eligibility. (a) Sixty (60) days prior to the expiration of any rental supplement authorized under section 302 of this act, the department shall notify, in writing, the tenant receiving rental supplement that the rental supplement grant is about to expire and that the tenant, if eligible and desiring to continue to receive rental supplement, must reapply within thirty (30) days upon receipt of such notice. The tenant shall reapply by executing under oath or affirmation a statement of continued eligibility on a form approved by the Mayor and submitting same to the Mayor. Except as otherwise provided in this section, the provisions of section 303 of this act shall apply to the processing of statements of continued eligibility under this section. Unless the Mayor determines that such person is not eligible for a rental supplement grant, such assistance shall continue for the succeeding twelve (12) months provided the tenant continues to be eligible therefor.

Sec. 305. Termination of Eligibility. (a) If at any time a tenant receiving rental supplements hereunder fails to satisfy the requirements of section 301 relating to conditions of eligibility, he shall immediately notify, in

writing, the Mayor of his ineligibility. Rental supplement shall terminate on the next day thereafter upon which rent is due.

(b) If, at any time, the Mayor determines that a tenant receiving rental supplements is not, or has ceased to be, eligible therefor, he shall so notify the tenant and landlord in writing, setting forth the reasons for such determination. Rental supplement payments shall terminate on the next day the rent is due occurring at least thirty (30) days after the date such notice is given, unless, within fifteen (15) days after the receipt of such notice, the tenant submits to the Mayor a written statement, under oath or affirmation, and including any available supporting documents, asserting his reasons for alleging continued eligibility. Within thirty (30) days following the receipt of such statement and documents, the Mayor shall make the final determination of such tenant's eligibility for continued receipt of rental supplements.

Sec. 306. Tax Exemption. (a) All monies received by any tenant through rental supplement grants under this act are hereby exempt from income taxes payable pursuant to the "District of Columbia Income and Franchise Tax Act of 1947" as amended, effective July 16, 1947, (61 Stat. 331 et seq.).

-55-

TITLE IV

REVENUE

Sec. 401. Annual Rental Unit Fee. Each landlord required to register under this act shall pay a fee of two dollars (\$2.00) for each rental unit in a housing accommodation registered by the landlord. The fee shall be paid annually to the government of the District of Columbia at the time the landlord applies for his or her business license or a renewal thereof; or in the case of a housing accommodation for which no such license is required, at such time and in such manner as the Commission may determine. Such fees shall be deposited in a timely manner in such depository or depositories designated by the government of the District of Columbia for such purposes.

TITLE V

EVICTIONS AND RETALIATORY ACTION

Sec. 501. Evictions.

(a) No tenant shall be evicted from a rental unit for any reason other than non-payment of rent unless he or she has been served with a written notice to vacate which meets the requirements of this act. Notice of all evictions other than for non-payment of rent shall be served upon both the tenant and the Rent Administrator.

-56-

(b) No tenant shall be evicted fr~~c~~t a rental unit, notwithstanding the expiration of his or her lease or rental agreement, so long as he or she continues to pay the rent to which the landlord is entitled for such rental unit unless:

(1) the tenant is violating an obligation of his or her tenancy and fails to correct such violation within thirty (30) days after receiving notice therecf from the landlord;

(2) a court of competent jurisdiction has determined that the tenant has performed an illegal act within such rental unit or housing acccommodation;

(3) the landlord seeks in good faith to recover possession of such rental unit for his or her immediate and personal use and occupancy as a dwelling;

(4) the landlord has in good faith contracted in writing to sell the rental unit or the housing accommodation in which such rental unit is located, for the immediate and personal use of and occupancy by another person, so long as at the time the owner offers the rental unit or housing accommodation for sale, the landlord has so notified the tenant in writing and extended to the tenant an opportunity to purchase as provided in title VIII of this act:

PROVIDED, That such rental unit is not being converted to a condominium or a cooperative;

(5) The landlord seeks in good faith to recover possession of the rental unit:

(A) 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 the plans for such alterations have been filed with the Rent Administrator and approved by the Rent Administrator, and such plans demonstrate that the proposed alterations or renovations cannot safely or reasonably be accomplished while the unit is occupied; or

(B) for the immediate purpose of demolishing the housing accommodation in which such rental unit is located and replacing it with new construction: PROVIDED, That a copy of the building permit for such new construction has been filed with the Rent Administrator, and: PROVIDED, FURTHER, That the requirements of title VIII of this act have been complied with; or

(C) for the immediate purpose of substantially rehabilitating the housing accommodation: PROVIDED, That the requirements of title VIII have been complied with; or

(D) for the immediate purpose of discontinuing the housing use and occupancy of such rental unit: PROVIDED, That prior to recovering possession from

the tenant(s), the landlord shall file, with the Rent Administrator, a fully executed affidavit setting forth the following:

(1) that the landlord will not cause the rental unit or the housing accommodation, whichever is applicable, to be substantially rehabilitated;

(2) that the landlord will not place the rental unit or the housing accommodation, whichever is applicable, into use and occupancy as a rental accommodation for a continuous twelve (12) month period beginning from the date that such use is discontinued pursuant to this section.

(c) (1) In any case where a landlord seeks to recover possession of a rental unit under subsections (b) (3), (b) (4), (b) (5) (A), (b) (5) (B) or (b) (5) (D), of section 501 of this act, he or she shall first notify the tenant in writing at least ninety (90) days prior thereto, of his or her intent to recover possession of such rental unit.

(2) In any case where the landlord seeks to recover possession of a rental unit pursuant to section 501(b) (5) (C) of this act, for purposes of substantial

rehabilitation, such notice shall be in accordance with section 705 of this act.

(3) In any case where a landlord seeks to recover possession of a rental unit or housing accommodation to convert such rental unit or housing accommodation to a condominium, or cooperative, or to another use, notice shall be given according to the provisions of section 208(b) of the "Condominium Act of 1976", D.C. Law 1-89, effective March 27, 1977, or sections 603 and 604 of this act, respectively.

(4) Thirty (30) days notice shall be provided in all other cases.

(5) The notice required shall contain a statement detailing the reasons for the eviction, and if the housing accommodation is required to be registered by this act, a statement that the housing accommodation is registered with the Commission and the registration number of the accommodation.

(d) No landlord shall demand or receive rent for any rental unit which he or she has repossessed under sections 501(b)(3) or 501(b)(5)(D) of this act during the twelve (12) month period beginning on the date he or she recovered possession of such rental unit. No person who has purchased a rental unit which has been repossessed by a landlord under

-60-

section 501(b) (4) of this act shall demand or receive rent for such rental unit during the twelve (12) month period beginning on the date on which such landlord recovered such rental unit.

(e) In the case of any rental unit which has been repossessed by a landlord under section 501(b) (5) (A) of this act, the tenant from whom the landlord repossessed such unit shall have an absolute right to re-rent such unit immediately upon completion of the renovation or alteration. Where the renovations or alterations are necessary to bring the unit into substantial compliance with the Housing Regulations, the tenant may re-rent at the same rent and under the same obligations as were in effect at the time he or she was dispossessed: PROVIDED, That such renovations or alterations were not made necessary by the negligent or malicious conduct of such tenant.

(f) Tenants displaced by actions under section 501(b) (5) of this act shall be entitled to receive relocation assistance as set forth in title VIII of this act: PROVIDED, That the tenants meet the eligibility criteria of that title.

Sec. 502. Retaliatory Action. (a) No landlord shall take any retaliatory action against any tenant who exercises any right conferred upon him or her by this act, by any rule

or order issued pursuant thereto, or by any other provisions of law. Retaliatory action may include any action or proceeding not otherwise permitted by law which seeks to recover possession of a rental unit; action which would increase rent, decrease services, increase the obligation of a tenant or constitute undue or unavoidable inconvenience, violate the privacy of the tenant, harass, reduce the quality or quantity of service; and any refusal to honor a lease or rental agreement or any provision of a lease or rental agreement, refusal to renew a lease or rental agreement, termination of a tenancy without cause; and any other form of threat or coercion.

(b) In determining whether an action taken by a landlord against a tenant is retaliatory action, the trier of fact shall take into consideration whether, within the six (6) months preceding such landlord's action, the tenant:

(1) has made a witnessed oral or written request to the landlord to make repairs which are necessary to bring the housing accommodation or the rental unit into compliance with the Housing Regulations;

(2) contacted appropriate officials of the government of the District of Columbia, either orally in the presence of a witness or in writing, concerning existing violations of the Housing Regulations in the rental unit he

-62-

or she occupies or pertaining to the housing accommodation in which such rental unit is located, or reported to such officials suspected violations which, if confirmed, would render such rental unit or housing accommodation in non-compliance with the Housing Regulations;

(3) legally withheld all or part of his or her rent, after having given a reasonable notice to the landlord, either orally in the presence of a witness or in writing, of a violation of the Housing Regulations;

(4) organized, been a member of, or been involved in any lawful activities pertaining to a tenant organization;

(5) made an effort to secure or enforce any of his or her rights under his or her lease or contract with the landlord; or

(6) brought legal action against the landlord.

## TITLE VI

### SALE OF RENTAL HOUSING

#### Sec. 601. Sale of Single-Family Housing Accommodations.

(a) Any owner of a housing accommodation comprised of a single rental unit may sell such housing accommodation to a purchaser but only after such owner has given the tenant of such housing accommodation an opportunity to purchase such

-63-

housing accommodation at a price which represents a bona fide offer of sale. A written offer shall be given to the tenant by the landlord. The offer to purchase the housing accommodation shall include, but not be limited to, the asking price for the housing accommodation and a statement of the tenant's right to purchase the housing accommodation under the provisions of section 601 of this act. The tenant shall be afforded at least forty-five (45) days in which to make a contract with the landlord for the purchase of the accommodation at a mutually agreeable price and under mutually agreeable terms.

(b) The tenant shall also have the right of first refusal during the fifteen (15) days after the landlord has received a valid sales contract or other written offer to purchase from a prospective purchaser.

(c) If the housing accommodation is not sold during the six (6) months immediately following the original offer to the tenant under subsection (a) of this section and is still being offered for sale, the landlord shall make another offer to the tenant in the same manner as the first offer was made.

Sec. 602. Sale of Housing Accommodations Comprised of Two or More Rental Units.

A landlord of a housing accommodation comprised of two (2) or more rental units may sell it to a purchaser but only after the landlord has done the following:

(a) in the case of a housing accommodation comprised of four (4) rental units or less, given the current tenants jointly or severally an opportunity to purchase the housing accommodation at a price which represents a bona fide offer of sale. A written notice of intent to sell shall be given to the tenants by the landlord. The notice shall include, but not be limited to, the asking price for the housing accommodation and a statement of the tenants' right to purchase the housing accommodation under the provisions of this section. The tenants shall be afforded at least forty-five (45) days in which to contract with the landlord for the purchase of the housing accommodation at a mutually agreeable price and under mutually agreeable terms. At the expiration of the forty-five (45) day period, the landlord shall provide an additional fifteen (15) day period during which any one of the current tenants may contract with the landlord for the purchase of the accommodation at a mutually agreeable price and under mutually agreeable terms; or

(b) in the case of a housing accommodation comprised of more than four (4) rental units, and which has an organization of tenants with the legal capacity to hold real

estate, who have previously indicated an interest in purchasing the housing accommodation, given the tenants an opportunity to purchase the housing accommodation at a price which represents a bona fide offer of sale. A written notice of intent to sell shall be given to the tenants by the landlord. The notice shall include, but not be limited to, the asking price for the housing accommodation and a statement of the tenants' right to purchase the housing accommodation under the provisions of section 602 of this act. The tenants shall be afforded at least forty-five (45) days in which to contract with the landlord for the purchase of the housing accommodation at a mutually agreeable price and under mutually agreeable terms.

Sec. 603. Conversion of a Housing Accommodation to a Cooperative.

(a) Every tenant of a housing accommodation which the landlord seeks to convert from a rental basis to a cooperative shall be notified in writing of the landlord's intent to convert the housing accommodation to a cooperative not less than one hundred and twenty (120) days before the conversion thereof. The landlord shall also make to each tenant of the housing accommodation a bona fide offer of sale of the rental unit which such tenant occupies. The offer shall include, but not be limited to, the asking price

-66-

for the rental unit and a statement of the tenant's right to purchase the rental unit under the provisions of section 603 of this act. The tenant shall be afforded not less than sixty (60) days in which to contract with the landlord for the purchase of the unit at a mutually agreeable price and under mutually agreeable terms.

(b) No tenant shall be served with a notice to vacate until ninety (90) days after the tenant received notice of the owner's intent to convert and prior to the expiration of the sixty (60) day period required under subsection (a) of this section or receipt of the tenant's written rejection of the bona fide offer of sale of the rental unit, whichever occurs first.

(c) Nothing in this section shall be construed to permit the conversion of rental units to cooperative units where otherwise prohibited by law.

Sec. 604. Conversion of a Housing Accommodation to Another Use.

(a) Every tenant of a housing accommodation which the landlord seeks to convert from a rental basis to a use other than for non-transient residential occupancy shall be notified in writing of the landlord's intent to convert the housing accommodation not less than one hundred and twenty (120) days before the conversion thereof.

-67-

(b) No tenant of a housing accommodation which the landlord seeks to convert to a use other than for non-transient residential occupancy shall be served with a notice to vacate until ninety (90) days after the tenant received notice of the landlord's intent to convert.

(c) Nothing in section 604 of this act shall be construed to permit the conversion of a housing accommodation as defined by section 102(f) of this act to a use other than for non-transient residential occupancy if the conversion is otherwise prohibited by law.

Sec. 605. Amendments to the Condominium Act of 1976.

Item (i) of subparagraph (E) of paragraph (1) of subsection (b) of section 501 of the "Condominium Act of 1976" (D.C. Law 1-89) is amended to read as follows:

"(i) multiply the number of rental units in the following categories by the corresponding rent: (I) \$228.50 for one (1) bedroom rental units; (II) \$287 for two (2) bedroom rental units; (III) \$403 for three (3) or more bedroom rental units; (IV) \$174 for efficiency rental units; and".

TITLE VII

SUBSTANTIAL REHABILITATION OF HOUSING  
ACCOMMODATIONS FROM WHICH A TENANT WAS EVICTED

Sec. 701. Applicability of Provisions. The provisions of this title apply to the substantial rehabilitation of:

- (a) any housing accommodation with respect to which the landlord has notified the tenants of the rental units therein, after the effective date of this act, of the landlord's intent to substantially rehabilitate; or
- (b) any housing accommodation with respect to which the landlord has notified the tenants of the rental units therein prior to the effective date of this act of the landlord's intent to substantially rehabilitate.

Sec. 702. Petition for Adjustment in Rent Ceiling Due to Substantial Rehabilitation.

A landlord of a housing accommodation for which the allowable rent ceiling is computed according to section 206 of this act from which any tenant of any rental unit therein would be evicted for the purpose of substantial rehabilitation, must petition the Rent Administrator in order to substantially rehabilitate the housing accommodation and for an adjustment in the allowable rent ceiling upon completion of the substantial rehabilitation. The landlord's petition shall be filed and considered in accordance with the adjustment procedure set forth in section 214 of this act.

Sec. 703. Criteria for Approving Petition.

- 69 -

(a) In determining whether to approve a petition for substantial rehabilitation of a housing accommodation from which any tenant must be evicted, the Rent Administrator shall:

(1) consider the impact of the proposed substantial rehabilitation on the tenants of the housing accommodation;

(2) consider the existing condition of the housing accommodation and the rental units contained therein and the degree to which any violations of the Housing Regulations constitute an impairment to the health, welfare and safety of the tenants;

(3) examine the plans, specifications and projected costs for the substantial rehabilitation, all of which shall be made available to the Rent Administrator by the landlord of the housing accommodation; and

(4) evaluate such other factors as the Rent Administrator may deem relevant.

(b) If the Rent Administrator determines that:

(1) a housing accommodation is to be substantially rehabilitated; and

(2) the interests of tenants of the housing accommodation to be substantially rehabilitated have been fully considered, then the Rent Administrator shall approve,

-70-

contingent upon the actual completion of the substantial rehabilitation in accordance with the plans, specifications and at a cost equal to or exceeding fifty percent (50%) of the market value of the housing accommodation, an adjustment in the allowable rent ceiling for the rental units contained in the housing accommodation.

Sec. 704. Amount of Adjustment in Rent Ceiling for Substantial Rehabilitation.

On making the determination permitted by section 703(b) of this act for a housing accommodation to which title II of this act is applicable, the Rent Administrator may approve for each rental unit in the housing accommodation, an adjustment in the rent ceiling during the initial leasing period or the first year of tenancy following completion of the substantial rehabilitation of the housing accommodation which is no greater than the equivalent of one hundred and twenty-five percent (125%) of the rent ceiling applicable to that rental unit in the housing accommodation prior to substantial rehabilitation. For purposes of the application of the provisions of section 206 of this act, thereafter, the rent ceiling as adjusted is deemed to be the equivalent of making the computations specified in section 206(a) of this act.

Sec. 705. Notice of Intent to Substantially Rehabilitate.

(a) The landlord of a housing accommodation which the landlord intends to substantially rehabilitate shall provide the tenants of every rental unit therein with a written statement of intent to substantially rehabilitate at least one hundred and twenty (120) days prior to the commencement of the substantial rehabilitation.

(b) The landlord's written statement of intent to substantially rehabilitate the housing accommodation shall be on such form and contain such information as the Commission, by regulation, may require.

Sec. 706. Notice to Vacate for Substantial Rehabilitation.

No tenant shall be served with a notice to vacate any rental unit in a housing accommodation which the landlord intends to substantially rehabilitate until ninety (90) days after the tenant received the landlord's statement of intent to substantially rehabilitate the housing accommodation in which the tenant resides.

Sec. 707. Tenant's Right to Re-rent. Any tenant displaced from a rental unit by the substantial rehabilitation of the housing accommodation in which the rental unit is located shall have a right to re-rent the

-72-

rental unit immediately upon the completion of the substantial rehabilitation.

TITLE VIII

RELOCATION ASSISTANCE FOR TENANTS DISPLACED  
BY SUBSTANTIAL REHABILITATION OR DEMOLITION

Sec. 801. Notice of Right to Relocation Assistance.

No landlord shall substantially rehabilitate or demolish any housing accommodation unless there has first been served upon each tenant residing therein a written notice of intent to rehabilitate or demolish the housing accommodation, in accordance with sections 701 or 501(b) (5)(B). Such notice shall advise the tenants of their right to relocation assistance under this act or any other L.C. Law, and the procedures for applying for such assistance. The Commission shall prescribe the content of such notice. No tenant may be evicted from a housing accommodation which the landlord intends to substantially rehabilitate or demolish (or which the landlord intends to sell to another person who, to the landlord's knowledge, intends to substantially rehabilitate or demolish it), unless this section has been complied with. Nothing contained in this section shall be construed to limit a landlord's right to evict a tenant for non-payment of rent or violation of an obligation of the tenancy.

provided such action to evict is in compliance with section 501 of this act.

Sec. 802. Eligibility Requirements for Relocation Assistance.

Each landlord commencing substantial rehabilitation or demolition on or after the effective date of this act, shall pay relocation assistance in an amount calculated pursuant to section 803 of this act, to all tenants of such housing accommodation who:

(a) were living in the rental units contained therein from which they are being displaced at the time the notice required by section 701 or section 501(b)(5)(B) of this act is given; and

(b) are displaced from rental units because such housing accommodation in which they are located is to be substantially rehabilitated or demolished.

Sec. 803. Relocation Assistance Payments.

(a) The amount of relocation assistance payable to a displaced tenant shall be calculated as follows:

(1) Relocation assistance in the amount of one hundred and twenty-five dollars (\$125.00) for each room in the rental unit shall be payable to the tenants or subtenants bearing the cost of removing the majority of the furnishings. For the purposes of this section, a "room" in a rental unit means any space sixty (60) square feet or

larger which has a fixed ceiling and a floor and is subdivided with fixed partitions on all sides, but does not mean bathrooms, balconies, closets, pantries, kitchens, foyers, hallways, storage areas, utility rooms or the like.

(2) The Mayor shall adjust the amount to be paid tenants for relocation assistance from time to time in order to reflect changes in the cost of moving within the Washington Metropolitan Area. Such adjustments shall be made pursuant to the "District of Columbia Administrative Procedure Act" (D.C. Code, sec. 1-1501 et seq.), not more than once in any calendar year.

(b) Relocation assistance shall be paid to eligible tenants, not later than twenty-four (24) hours prior to the date the rental unit is to be vacated by the tenant(s) or subtenant(s): PROVIDED, That the landlord has received at least ten (10) days (excluding Saturdays, Sundays and holidays) advance written notice of the date upon which the unit is to be vacated. Where the tenant does not provide the landlord with at least a ten (10) day notice, the relocation assistance shall be paid within thirty (30) days after the unit is vacated.

(c) Payment of relocation assistance shall not be required with respect to any rental unit which is the subject of an outstanding judgment for possession obtained

by the landlord or landlord's predecessor in interest against the tenants or subtenants for a cause of action whether such cause of action arises before or after the service of the notice of intention to rehabilitate or to demolish. If, however, the judgment for possession is based upon non-payment of rent and arises after the notice of intent to rehabilitate or to demolish has been given, then relocation assistance shall be required in an amount reduced by the amount determined to be due and owing to the landlord by the court rendering the judgment for possession.

Sec. 804. Relocation Advisory Services. The first sentence of section 5-732(b) of the District of Columbia Code (as added by section 516 of the "Condominium Act of 1976", D.C. Law 1-89, effective March 27, 1977) is hereby amended by adding the words "or is substantially rehabilitated or demolished," immediately after the phrase "converted from rental to condominium units,"; and by inserting the phrase ", substantially rehabilitated or demolished" between the words "converted" and "building" at the end of such sentence. In ascertaining the relocation needs of tenants displaced by substantial rehabilitation or demolition, the standards set forth in section 517(a) of the "Condominium Act of 1976", D.C. Law 1-89, effective March 27, 1977, shall be used.

Sec. 805. Tenant Hot Line. Within thirty (30) days from the effective date of this act the Rental Accommodations Commission shall establish a "Tenant Hot Line". The primary purpose of this hot line is to provide assistance to low and moderate income tenants. To carry out this purpose, the functions and responsibilities shall include but not be limited to the following:

- (a) answering rent control procedural questions, and directing tenants toward possible courses of action in resolving problems;
- (b) providing advice on housing code violations;
- (c) explaining rent increases;
- (d) providing guidance on emergency shelter;
- (e) providing guidance on housing assistance programs;
- (f) providing guidance in resolution of water, heating, repairs and other problems;
- (g) providing advice on possible action in response to allegations of harassment or neglect by landlords;
- (h) answering preliminary questions about remedies through the courts;
- (i) providing guidance when tenants are faced with eviction; and
- (j) providing guidance on other tenant problems.

## TITLE IX

## MISCELLANEOUS

PENALTIES; SEVERABILITY; SUPERSEDEENCE; SERVICE;  
EFFECTIVE DATE; TERMINATIONSec. 901. Penalties.

(a) Any person who:

(1) demands or receives any rent for a rental unit in excess of the maximum allowable rent applicable to that rental unit under the provisions of title II of this act; or

(2) substantially reduces or eliminates related services previously provided for a rental unit shall be held liable by the Rent Administrator, or Commission, as applicable, for treble the amount by which the rent exceeds the applicable rent ceiling or for seventy-five dollars (\$75.00), whichever is greater and/or for a roll back of the rent to such amount as the Rent Administrator or Commission shall determine.

(b) (1) Any person who willfully collects a rent increase after the same has been disapproved under this act (until and unless such disapproval has been reversed by a court of competent jurisdiction); or

(2) any party who willfully makes a false statement in any document filed under this act; or

(3) any person who willfully commits any other act in violation of any provision of this act or of any final administrative order issued pursuant to this act; or

(4) any person who willfully fails to do anything required under this act, shall be fined not more than five thousand dollars (\$5,000.00) for each violation.

(c) Any landlord who has provided relocation assistance under this act may bring a civil action to recover the amount of relocation assistance paid to any person who was not eligible to receive such assistance.

(d) Any person who knowingly or willfully makes a false or fraudulent application, report or statement in order to obtain, or for the purpose of obtaining any rental supplement grant or payment; or any person ceasing to become eligible for such grant or payment and who does not immediately notify the Mayor of his ineligibility, shall be fined not more than five thousand dollars (\$5,000.00) for each offense. Such person found guilty of making false or fraudulent reports or statements or of failing to promptly notify the Mayor of his ineligibility shall repay to the District of Columbia any and all amounts paid by the District of Columbia in reliance on such false or fraudulent application, report or statement, or all amounts paid after eligibility ceases, and shall be liable for interest on such

-79-

amounts at the rate of one-half of one percent (1/2%) per month until repaid.

Sec. 902. Severability. If any provision of this act or any section, sentence, clause, phrase or word or the application thereof, shall in any circumstances be held invalid, the validity of the remainder of the act and of the application of any such provision, section, sentence, clause, phrase or word shall not be affected.

Sec. 903. Supersedence. This act shall be deemed to supersede the "Rental Accommodations Act of 1975", D.C. Law 1-33, effective November 1, 1975, as amended by the "Rental Accommodations Act Amendments of 1976", D.C. Law 1-122, effective April 4, 1977.

Sec. 904. Service.

(a) Unless otherwise provided by the Commission regulations, any information or document required to be served upon any person shall be served upon that person, or the representative designated by that person or by the law to receive service of such documents. When a party has appeared through a representative of record, service shall be made upon that representative. Service upon a person may be completed by any of the following ways:

(1) by handing the document to the person, by leaving it at such person's place of business with some

-80-

responsible person in charge or by leaving it at the person's usual place of residence with a person of suitable age and discretion then present therein; or

(2) by telegram, when the content of the information or document is given to a telegraph company properly addressed and prepaid; or

(3) by mail, or deposit with the United States Postal Service properly stamped and addressed; or

(4) by any other means that is in conformity with an order of the Commission or the Rent Administrator in any proceeding.

(b) No rent increases, whether pursuant to this act, the "Rental Accommodations Act of 1975", D.C. Law 1-33, effective November 1, 1975, as amended by the "Rental Accommodations Act Amendments of 1976", D.C. Law 1-122, effective April 4, 1977, or any administrative decisions issued thereunder, shall be effective until the first day on which rent is normally paid occurring more than thirty (30) days after notice of such increase is given the tenant.

Sec. 905. Effective Date. This act shall take effect as provided for acts of the Council of the District of Columbia in section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act.

- 81 -

Sec. 906. Termination. This act shall terminate on September 30, 1980.

## RECORD OF OFFICIAL COUNCIL ACTION

Docket No: 2-152First Reading Action: November 15, 1977 VOICE VOTE: \_\_\_\_\_

Secretary to the Council

 ROLL CALL VOTE:

COUNCIL MEMBER	A.YE	N.AYE	N.V.	A.B.	COUNCIL MEMBER	A.YE	N.AYE	N.V.	A.B.	COUNCIL MEMBER	A.YE	N.AYE	N.V.	A.B.	
TUCKER	X				MASON	X				SPAULDING	X				
HARDY	X				MOORE, D.	X				WILSON	X				
BARRY	X				MOORE, J.	X				WINTER	X				
CLARKE	X				ROLARK	X									
DEXON	X				SHACKLETON	X									

X—Indicates Vote A.B.—Absent N.V.—Not Voting

Robert A. Williams

Secretary to the Council

Amended First Reading Action: \_\_\_\_\_

 VOICE VOTE: \_\_\_\_\_

Secretary to the Council

 ROLL CALL VOTE:

COUNCIL MEMBER	A.YE	N.AYE	N.V.	A.B.	COUNCIL MEMBER	A.YE	N.AYE	N.V.	A.B.	COUNCIL MEMBER	A.YE	N.AYE	N.V.	A.B.	
TUCKER					MASON					SPAULDING					
HARDY					MOORE, D.					WILSON					
BARRY					MOORE, J.					WINTER					
CLARKE					ROLARK										
DEXON					SHACKLETON										

X—Indicates Vote A.B.—Absent N.V.—Not Voting

Secretary to the Council

Final Reading or Emergency Action: November 29, 1977 VOICE VOTE: \_\_\_\_\_Up

Secretary to the Council

 ROLL CALL VOTE:

COUNCIL MEMBER	A.YE	N.AYE	N.V.	A.B.	COUNCIL MEMBER	A.YE	N.AYE	N.V.	A.B.	COUNCIL MEMBER	A.YE	N.AYE	N.V.	A.B.	
TUCKER	X				MASON	X				SPAULDING	X				
HARDY	X				MOORE, D.	X				WILSON	X				
BARRY	X				MOORE, J.	X				WINTER	X				
CLARKE	X				ROLARK	X									
DEXON	X				SHACKLETON	X									

X—Indicates Vote A.B.—Absent N.V.—Not Voting

Robert A. Williams

Secretary to the Council

## RECORD OF OFFICIAL COUNCIL ACTION (Page 2)

Docket No: 2-152Presented to the Mayor: NOV 22 1977Robert C. Williams  
Secretary to the CouncilAction of the Mayor: 15 DEC 1977 Approved:  Disapproved: Disapproved in part --\*Reference  
Document: \_\_\_\_\_  
\*Budget Actions. Returned Without Action 15 DEC 1977

Mayor of the District of Columbia

Martin K. Schaller  
Executive Secretary, D.C.

I hereby certify that Council Bill 2-152 was presented to the Mayor of the District of Columbia on December 1, 1977 and that the Mayor neither approved nor disapproved the bill within the ten day period specified in Section 404(e) of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198 of December 24, 1973.

Martin K. Schaller

December 15, 1977

MARTIN K. SCHALLER, EXECUTIVE SECRETARY, D.C.

DATE

HARDY				MOORE, D.				WILSON			
BARRY				MOORE, L.				WINTER			
CLARKE				ROLARK							
DEON				SHACKLETON							

=Indicates Vote A. B.=Absent N. V.=No Vote

Secretary to the Council

Presented to the President: \_\_\_\_\_

Secretary to the Council

Action of the President: \_\_\_\_\_

 Reenactment Approved Mayor's Veto Sustained

President of the U. S.

Pat WilliamsSubmitted to the Congress: DEC 27 1977

Secretary to the Council

Senate Action: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_House Action: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_

Secretary of the Senate

Clerk of the House

Enacted Without Congressional Action:

D.C. Law No. Effective Date

Secretary to the Council