

2213 DISTRICT LOTTERY — MARKETING OF INCLUSIONARY UNITS TO HOUSEHOLDS SELECTED PURSUANT TO THE LOTTERY

- 2213.1 The Owner shall market an Inclusionary Unit to each of the Households selected under § 2212.1, including, but not limited to, showings and providing other marketing information.
- 2213.2 The highest ranked Household to confirm interest pursuant to § 2212.3(a) or § 2212.4(a) shall have an exclusivity period of thirty (30) days after the date of the notice provided pursuant to § 2212.2 to lease or purchase the Inclusionary Unit. During this exclusivity period, the Owner may market the Inclusionary Unit to the other Households selected in the lottery, and those other Households may submit the documents required by § 2212, but only the highest ranked Household to confirm interest as described above may lease or purchase the Inclusionary Unit, subject to § 2213.3.
- 2213.3 If the highest ranked Household that has confirmed interest in the Inclusionary Unit pursuant to § 2212.3(a) or § 2212.4(a) declines to lease or purchase the Inclusionary Unit prior to expiration of the exclusivity period described in § 2213.2, the Household shall provide written notice to the Owner, on a form prescribed by DHCD or otherwise as approved by the Owner and DHCD. Such notice shall terminate the exclusivity period, whereupon other Households selected pursuant to § 2212.1 that have confirmed their interest pursuant to § 2212.3(a) or § 2212.4(a) shall be given the opportunity to lease or purchase the Inclusionary Unit, subject to § 2213.4.
- 2213.4 Upon receipt of the written notice referred to in § 2213.3 or upon expiration of the exclusivity period referred to in § 2213.2, if the highest ranked Household that has confirmed interest in the Inclusionary Unit pursuant to § 2212.3(a) or § 2212.4(a) does not lease or purchase the Inclusionary Unit, the Households selected pursuant to § 2212.1 that have confirmed interest in the Inclusionary Unit pursuant to § 2212.3(a) or § 2212.4(a), have submitted the documents and information required by § 2212.3(b) or § 2212.4(b) and also meet the Owner's non-income based rental or sale criteria shall be given the opportunity to lease or purchase the Inclusionary Unit, subject to § 2213.5.
- 2213.5 If the highest ranked Household that has confirmed interest in the Inclusionary Unit does not lease or purchase the Inclusionary Unit, the Households that submitted the documents and information required by §§ 2212.3(a) and (b) or §§ 2212.4(a) and (b) within the thirty (30) day exclusivity period shall be given the opportunity to lease or purchase the Inclusionary Unit, based on their ranking in the lottery selection. No such Household will be given an exclusivity period.

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2213.6 If more than one (1) Household has submitted the documents and information required by § 2212.3(b) or § 2212.4(b) on the same day, but after the thirty (30) day exclusivity period, then the Household which has been on the registration list the longest will have priority to lease or purchase the Inclusionary Unit.

SOURCE: Notice of Final Rulemaking published at 56 DCR 3907 (May 15, 2009); as amended by Final Rulemaking published at 56 DCR 9295, 9296 (December 11, 2009); as amended by Final Rulemaking published at 64 DCR 13582 (December 29, 2017).