

6200 RENT CALCULATIONS

- 6200.1 Notwithstanding provisions which may appear elsewhere in this subtitle, each tenant shall pay, as tenant rent, one of the following:
- (a) Income-based rent as the greater of one twelfth (1/12) of thirty percent (30%) of adjusted income or one twelfth (1/12) of ten percent (10%) of the annual income. The value of any assets or imputed income from assets shall not be used in the calculation of income based rent. Actual net income from assets greater than the threshold described above shall be included in the determination of adjusted income;
 - (b) Market-based rent which shall not be lower than eighty percent (80%) of the applicable United States Department of Housing and Urban Development (HUD) Fair Market Rent (FMR) for applicable Metropolitan Statistical Area. If the Market-based rent is less than income-based rent, as determined by DCHA, the family shall pay the lower;
 - (1) Pursuant to HUDs PIH [Notice 2014-12](#) implementing Sections 210 and 243 of Title II of [Pub.L. 113-76](#), the Consolidation Appropriations Act of 2014, if the application of the flat rent rule increases a family's existing rent by more than 35%, then the market-based rent amount shall be phased in as necessary to ensure that the family's existing rental payment does not increase by more than 35% biennially.
 - (c) If the family is determined by DCHA to have no adjusted income, the family shall pay minimum rent as provided in § 6210.
- 6200.2 Any changes in tenant rent shall be stated in a special supplement to the lease, which shall, upon issuance, become a part of the dwelling lease. The special supplement to the lease shall constitute the tenants thirty (30) day written notice of an increase in tenant rent. The family shall be provided a copy of the special supplement to the lease.
- 6200.3 A copy of the market-based rent schedule for a property shall be available at each property management office, on the DCHA web site, or can be requested from the DCHA.
- 6200.4 At initial lease-up and with each periodic recertification or interim recertification, DCHA shall calculate the family's income-based rent. If the market-based rent, as listed in the current market-based rent schedule for the property, is less than the family's income-based rent, the family shall pay the lower amount.
- 6200.5 If a tenant is paying a market-based rent, the tenant shall:

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- (a) Submit an interim recertification in accordance with § 6117 for any change in family circumstances. Change in family circumstances may include, but shall not be limited to, reductions in income, employment, or other assistance; or increases in expenses for medical costs, child care, transportation, or education pursuant to § 6119; and
- (b) Provide DCHA with a completed application for continued occupancy, in accordance with § 6118.

6200.6 All changes in tenant rent, both income-based and market-based and whether after an interim or periodic recertification, shall be implemented in accordance with §§ 6118, 6119, and this chapter.

6200.7 In properties where utilities and other essential services are supplied to the tenant by DCHA, tenant rent payable to DCHA under the dwelling lease shall be the same as total tenant payment.

6200.8 Tenant rent shall be computed after both annual income and adjusted income have been verified.

6200.9 The tenant shall receive retroactive credit to credit an administrative error.

6200.10 Tenants occupying property for a portion of a month at the time of move-in shall be charged a pro-rata share of the full monthly rate determined by DCHA.

6200.11 Allowances and special deductions:

- (a) In properties where tenants are responsible for paying for their own utility bills, the utility allowance shall be subtracted from the total tenant payment to determine the tenant rent payable to DCHA. If the tenant rent resulting from the subtraction of the utility allowance from the total payment is negative, DCHA shall send a monthly check in the amount of the difference to the tenant;
- (b) At Redeveloped Properties or Service Rich Properties, as defined in [14 DCMR Section 6113](#), which an Association Fee is assessed, residents at such properties may be required to pay an amount calculated to equal the Association Fee attributable to the unit and shall be granted an allowance reflecting the Association Fee payment. The allowance shall be subtracted from the tenant rent to determine the tenant payment as follows:
 - (1) Any utility allowance shall be deducted from the tenant rent first. The allowance for the Association Fee shall be deducted from any remaining positive amount. If the deduction of the utility allowance results in a negative rent there shall be no charge for an Association Fee and no deduction for the Association Fee

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allowance. If the deduction of the Association Fee allowance results in a negative amount, the required Association Fee payment from the tenant and its associated allowance shall be reduced so that the tenant rent is zero.

- (2) If the tenant fails to pay the Association Fee on time, the fee shall be converted to rent, not to exceed 30% of adjusted income, when added to the monthly rent, for the month in which the fee was paid.
- (3) If the Association Fee is paid after entry of judgment as part of the payment required to avoid eviction, the fee shall be recorded as the Association Fee, and the ledger shall be updated to reflect the tenant's payments.

SOURCE: Final Rulemaking published at 33 DCR 7973, 8002-8003 (December 26, 1986); as amended by Final Rulemaking published at 51 DCR 7551 (July 30, 2004); as amended by Final Rulemaking published at 51 DCR 11336 (December 10, 2004); as amended by Final Rulemaking published at 56 DCR 2720 (April 10, 2009); as amended by Final Rulemaking published at 61 DCR 12784 (December 19, 2014); as amended by Final Rulemaking published at 63 DCR 13165 (November 18, 2016).