

**4111 DISCLOSURES TO PROSPECTIVE AND CURRENT TENANTS**

4111.1 The tenant of any rental unit covered by the Act, as provided by § 4100.3, shall have the right to request, in writing, no more than one time in each calendar year, that the housing provider disclose, on a form published by the Rent Administrator, within ten (10) business days of the request:

- (a) The amount of each rent increase implemented for the rental unit during the preceding three (3) years from the date of the request; and
- (b) If the rental unit is covered by the Rent Stabilization Program, for each rent increase disclosed pursuant to paragraph (a):
  - (1) The type of the rent adjustment that was implemented;
  - (2) If a vacancy adjustment was implemented pursuant to § 213(a)(2) of the Act (D.C. Official Code § 42-3502.13(a)(2)) prior to the applicability date of the Vacancy Increase Reform Amendment Act of 2018 (D.C. Law 22-223), the identification of the substantially identical rental unit used; and
  - (3) If prior administrative approval was required for the rent adjustment, the case number of the petition or application and the date on which the approval became final.

4111.2 A housing provider of a rental unit covered by the Act shall maintain records of the following:

- (a) For all rental units:
  - (1) Whether the housing accommodation, or a specific rental unit within the housing accommodation, is covered by the Rent Stabilization Program, including the housing provider's current business license, the current Registration/Claim of Exemption Form that identifies the rental unit and any amendments to the Form;
  - (2) The ownership information required on the Registration/Claim of Exemption Form for the housing accommodation;
  - (3) Whether the building of which the rental unit is a part is registered as a condominium or cooperative building or is in the process of converting to condominium or cooperative housing use or to any use that is not a housing accommodation;

## District of Columbia Municipal Regulations

- (4) The frequency with which rent increases may be implemented pursuant to any lease or, if the rental unit is covered by the Rent Stabilization Program, § 208(g) of the Act (D.C. Official Code § 42-3502.08(g));
  - (5) The rent;
  - (6) The amount of:
    - (a) Any nonrefundable application fee collected or to be charged for the rental unit; and
    - (b) Any security deposit held or to be demanded, the interest rate on the deposit, and the means and timing by which the security deposit shall be returned to the tenant, in accordance with §§ 308-311 of this title;
  - (7) Copies of any notices of violations of the Housing Regulations, including the Property Maintenance Code, at the housing accommodation issued by the Department of Buildings (or the Department of Consumer and Regulatory Affairs, as applicable) within the past twelve (12) months, or at any time if the violation(s) has not been abated;
  - (8) Information known or that should have been known about the presence of indoor mold contamination, as defined by § 302(5) of the Air Quality Amendment Act of 2014 (D.C. Official Code § 8-241.01(5)), in the rental unit or common areas of the housing accommodation during the previous three (3) years, unless the mold has been remediated by an indoor mold remediation professional, as defined in § 302(6) of the Air Quality Amendment Act of 2014 (D.C. Official Code § 8-241.01(6)); and
  - (9) The Tenant Bill of Rights, as published by the Office of the Tenant Advocate; and
- (b) For rental units covered by the Rent Stabilization Program:
- (1) The rent charged as lawfully calculated and filed with the Rental Accommodations Division, inclusive of any authorized vacancy adjustment that has not yet been implemented;
  - (2) The amount of each increase in the rent charged during the preceding three (3) years, including the type of rent adjustment and, if implemented prior to the applicability date of the Vacancy Increase Reform Amendment Act of 2018 (D.C. Law 22-223), the

## District of Columbia Municipal Regulations

identification of any substantially identical rental unit on which a vacancy adjustment was based;

- (3) Any tenant petition or any petition or application for a rent adjustment, rent surcharge, or adjustment in related services or facilities affecting the rental unit that has been filed and remains pending or which has been approved but not yet implemented;
- (4) Any rent surcharges authorized for the rental unit, including conditional rent surcharges currently implemented pursuant to a pending hardship petition under § 212 of the Act (D.C. Official Code § 42-3502.12) and § 4209 of this title, and the expiration date for any rent surcharges currently authorized pursuant to an approved capital improvement petition under § 210 of the Act (D.C. Official Code § 42-3502.10) and § 4210 of this title; and
- (5) A pamphlet published by the Rent Administrator that explains in detail using lay terminology the laws and regulations governing the implementation of rent increases and petitions permitted to be filed by housing providers and by tenants.

4111.3 The Rent Administrator shall publish a form or set of forms that, when properly completed by a housing provider, contains:

- (a) The information described by § 4111.2;
- (b) The location of the set of records maintained in accordance with § 4111.4;
- (c) A table of contents enumerating the categories of information contained in the set of records; and
- (d) The voter registration packet developed by the District of Columbia Board of Elections.

4111.4 A housing provider of a rental unit covered by the Act shall maintain a compilation of the records described in § 4111.2, to be updated within thirty (30) days after any change in the relevant information, for inspection by the tenant in:

- (a) A publicly accessible area of the housing accommodation at which the housing provider or an agent is regularly present;
- (b) If an area described in paragraph (a) is not available, the nearest business office maintained by the housing provider to the housing accommodation in the District of Columbia; or

## District of Columbia Municipal Regulations

- (c) If an area described in neither paragraphs (a) nor (b) is available, in Portable Document Format (“.pdf” file type) or other common electronic format for transmission to the tenant by electronic mail upon request and for paper delivery to the tenant by U.S. mail upon request.

4111.5 At the time a prospective tenant files an application to lease any rental unit covered by the Act, or, if no application is required, prior to the execution of or agreement to a lease or rental agreement, the housing provider shall provide the tenant with:

- (a) A completed copy of the form(s) described in § 4111.3; and
- (b) A copy of each record or document listed in § 4111.2; provided, that where petitions, forms, or other applications require supporting documentation such as financial statements, the supporting documentation need not be provided so long as it is made available as required by § 4111.4.

4111.6 For units covered by the Rent Stabilization Program, a copy of the disclosure form given to a tenant pursuant to § 4111.5(a) shall be filed with the Rental Accommodations Division within thirty (30) days of the commencement of the tenancy if the rent charged is being adjusted based on a vacancy adjustment under § 4207. The copy filed shall include only the rent history portion of the disclosure form.

4111.7 The tenant of any rental unit covered by the Act shall have the right to request, no more than once per year, that the housing provider provide, within ten (10) business days of the request and without charge:

- (a) A completed copy of the form described in § 4111.3; and
- (b) A complete copy of the compilation of the records described in § 4111.2.

4111.8 A housing provider, without regard to whether a rental unit is claimed to be exempt from the Rent Stabilization Program, shall not increase the rent for a rental unit if the housing provider:

- (a) Willfully fails to comply with any requirement of this section; or
- (b) Fails to comply with any requirement of this section within ten (10) days of any written notice that the housing provider has failed to comply with the requirement.

4111.9 For the purposes of this section, the term “willfully” shall have the same meaning as provided in § 4217.8.

## District of Columbia Municipal Regulations

4111.10        The prohibition on rent increases provided by § 4111.8 shall last until ninety (90) days after the housing provider corrects the noncompliance.

SOURCE: Final Rulemaking published at 68 DCR 012634 (December 3, 2021); as amended by Final Rulemaking published at 70 DCR 001710 (February 3, 2023).