

## **5215           SEPARATE AGREEMENTS**

- 5215.1           Owners and tenants may execute agreements for services, appliances (other than for range and refrigerator), and other items outside those which are provided under the lease if the agreement is in writing and approved by DCHA.
- 5215.2           Any appliance, service, or other item which is routinely provided to nonsubsidized tenants as part of the lease (such as air conditioning, dishwasher, or garage) or are permanently installed in the unit cannot be put under separate agreement and shall be included in the lease. For there to be a separate agreement, the tenant shall have the option of not utilizing the service, appliance, or other item.
- 5215.3           DCHA is not liable for unpaid charges for items covered by separate agreements and nonpayment of these agreements cannot be cause for eviction.
- 5215.4           If the tenant and owner have come to an agreement on the amount of Charges for a specific item, so long as those charges are reasonable and not a substitute for higher rent, they shall be allowed. Costs for seasonal items can be spread out over twelve (12) months.
- 5215.5           Copies of all separate agreements shall be provided to DCHA.

SOURCE: Final Rulemaking published at 59 DCR 7875, 7887 (June 29, 2012).