

**5749 MANDATORY TRANSFERS**

5749.1 The DCHA may initiate Mandatory Transfers for households in order to alleviate certain housing conditions. The following represent examples of such conditions:

- (a) To relocate Families that are living in dwelling units with conditions that represent an emergency or a threat to life, health, or safety (*e.g.*, fire, flood, no water) as determined by DCHA, another governmental entity, or as a result of a judicial proceeding;
- (b) To place households in units of the correct size when authorized members of a Family (*i.e.*, household members listed on lease or certified by the DCHA) are under-occupying (assigned dwelling units are too large for the household) or over-occupying (assigned dwelling units are too small for the household) their assigned dwelling units in relation to the occupancy standards as set forth in Section 5709 of this chapter;
- (c) To relocate households to alleviate threat of attack by criminal elements as verified and documented by the DCHA Police Department or any other police department or law enforcement agency authorized to operate in the District of Columbia;
- (d) To permit Property Owner to make significant repairs, modernize, rehabilitate, or demolish dwelling unit(s) or apartment building(s);
- (e) To relocate households to facilitate the future rehabilitation of a dwelling unit;
- (f) To permit occupancy of a unit with accessibility feature by a transferring Family or eligible applicant with a verified need for such a unit;
- (g) To alleviate any other conditions of hardship as determined by DCHA or to effectuate DCHA goals and/or objectives.

5749.2 Families subject to a Mandatory Transfer shall receive a “Notice of Mandatory Transfer.” The Notice shall include the following:

- (a) Statement of the reason for the transfer;
- (b) Location of the new dwelling unit;
- (c) Statement regarding how the move will be financed; and
- (d) The specific date by which the move must occur.

5749.3 Families subject to a Mandatory Transfer will receive one offer of transfer. The

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offer of transfer shall be for a dwelling unit meeting the needs of the household in accordance with DCHA occupancy standards and, if the household includes a member with a disability, a dwelling unit that has features appropriate for the disability or one that is adaptable.

- 5749.4 Applications for a transfer must be made to the Property Manager of the Family's RAD Covered Project, but all paperwork verification and unit assignments shall be made by the Office of the Director of Property Management Operations, except in the case of a Family request for a transfer as a reasonable accommodation of a disability in which case the request will be processed by the Office of the ADA/504 Coordinator and the Client Placement Division.
- 5749.5 DCHA shall, at its sole discretion, elect to either bear the cost of a Mandatory Transfer by providing funds to the affected household or to move the household with its own resources, which may include the use of DCHA staff and/or a moving contractor.
- 5749.6 A Family that receives a written offer of a new dwelling unit and refuses the offer without good cause, shall be issued a Notice to Quit or Cure. The good cause standard applicable to new admissions shall apply to transfers.
- 5749.7 DCHA shall relocate to a vacant, non-accessible unit, within six (6) months, the remaining household members occupying a unit with accessibility features after the death, or relocation for any other reason, of the disabled household member who required the accessibility features of such Unit.
- 5749.8 The decision to initiate a Mandatory Transfer pursuant to this chapter may be made only after review and approval by a supervisor in the Office of the Director of Property Management Operations.

SOURCE: Final Rulemaking at 64 DCR 12956 (December 22, 2017); as amended by Final Rulemaking published at 66 DCR 6831 (June 7, 2019).