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ENFORCEMENT AND PENALTIES

- 102.1 Any person, other than a person licensed as a housing business under authority of D.C. Official Code § 47-2828 (2005 Repl.) and chapter 2 of this subtitle, who fails to comply with any provision of this subtitle after expiration of the time for compliance established in accordance with this subtitle shall, upon conviction, be punished by a fine not to exceed three hundred dollars (\$300), or by imprisonment for not more than ninety (90) days, in lieu of, or in addition to, any fine, for such failure to comply.
- 102.2 No further penalties shall be imposed under subsection 102.1 for an offense during the period in which an appeal from a criminal conviction of that offense is pending.
- 102.3 Any person licensed as a housing business under authority of D.C. Official Code § 47-2828 (2005 Repl.) and chapter 2 of this subtitle, who fails to comply with any provision of this subtitle shall, upon conviction, be punished by a fine not to exceed three hundred dollars (\$300) or imprisonment for not more than ninety (90) days for each such failure to comply.
- 102.4 Civil fines, penalties, and fees may be imposed as additional sanctions to criminal prosecution or other civil actions for a violation of this chapter or chapters 2 through 14 of this subtitle, pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 (D.C. Official Code § 2-1801, *et seq.* (2007 Repl. & 2011 Supp.)). Adjudication of an infraction of this chapter or chapters 2 through 14 of this subtitle shall be pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985.
- 102.5 In addition to other penalties authorized by statute or regulation, the code official may serve one (1) or more of the following notices, which may impose a fine or other penalty, on an owner of a property that is in violation of the provisions of the Housing Regulations:
- (a) A notice of violation;
 - (b) A notice of infraction;
 - (c) A combined notice of violation and notice of infraction; or
 - (d) Any other orders or notices authorized to be issued by the code official.

- 102.6 Any person, including a tenant, who causes a violation of any provision of this subtitle is subject to the same penalties as those provided in this section.
- 102.7 In the event of any failure to comply with any provision of this subtitle, each and every day such violation continues shall constitute a separate offense.
- 102.8 The penalties prescribed in subsections 102.1 and 102.3 shall be applicable to each separate offense, except as provided in subsection 102.2.
- 102.9 The violation of a provision of this subtitle or the failure to comply with a requirement of this subtitle shall also be grounds for the institution of proceedings for revocation of a license issued under chapter 3 of this subtitle, as provided in the General License Act (D.C. Official Code §§ 47-2801, *et seq.* (2005 Repl. & 2011 Supp.)).

SOURCE: The Housing Regulations of the District of Columbia, 5G DCRR § 2104, Commissioners' Order 55-1503 (August 11, 1955), as amended by section 4 of the Smoke Detector Act of 1978 Amendment Act of 1984, D. C. Law 5-139, 31 DCR 5751, 5754; and by section 489 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, D.C. Law 6-42, 32 DCR 4450, 4482-83; and section 6 of the Abatement of Nuisance Properties and Tenant Receivership Amendment Act of 2008, D.C. Act 17-623, 56 DCR 214, 218 (January 9, 2009); as amended by Notice of Emergency Rulemaking published at 58 DCR 3075 (April 8, 2011)[EXPIRED]; as amended by Notice of Emergency Rulemaking published at 58 DCR 6449 (July 29, 2011)[EXPIRED]; as amended by Notice of Final Rulemaking published at 58 DCR 9817 (November 18, 2011).