

**5323 ACCEPTABILITY CRITERIA AND EXCEPTIONS TO
HOUSING QUALITY STANDARDS**

5323.1 DCHA adheres to the acceptability criteria in the federal regulations and HUD Inspection Booklet to ensure the following systems are compliant with HQS:

- (a) Food preparation and refuse disposal;
- (b) Space and security;
- (c) Thermal environment;
- (d) Illumination and electricity;
- (e) Structure and materials;
- (f) Interior air quality;
- (g) Water supply;
- (h) Lead-based paint;
- (i) Site and neighborhood;
- (j) Sanitary conditions; and
- (k) Smoke detectors.

5323.2 DCHA may grant a one hundred twenty (120) day extension to the HQS compliance regulations when severe weather prevents immediate repair as long as the deficiency does not create a hazardous condition.

5323.3 All Housing Quality Standards Inspections shall be conducted in accordance with the standards contained in 24 C.F.R. § 982.401 except as noted below:

- (a) Utilities shall be turned on for the Housing Quality Standards inspection prior to the execution of a HAP Contract;
- (b) If the tenant is supplying the range or refrigerator, the working condition shall be verified at the time of the move in;
- (c) DCHA may fail the unit due to unsanitary conditions if exposed food, garbage, and excrement exist to a degree where health may be endangered;
- (d) Pilot lights which are present on gas stoves shall be in proper working order;

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- (e) Trash bags shall not be considered "adequate covered facilities" for trash; and
- (f) Adequate heat shall be considered to be 65 degrees Fahrenheit (65°F) within three feet (3 ft.) of the floor and from an exterior wall for all rooms used for living.

- 5323.4 Violations noted in the Housing Quality Standards that are marked as "Pass with Comments" violations will be considered minor violations. They must be repaired but will not be re-inspected on site; rather they will be subjected to a self-certification by the owner and tenant.
- 5323.5 Lead-based paint requirements shall apply to dwelling units built prior to 1978 that are occupied or can be occupied by families with children less than six (6) years of age, excluding zero (0) bedroom dwellings.
- 5323.6 For units occupied by children under six (6) with an elevated environmental intervention blood lead level (lead poisoned), a risk assessment shall be conducted. If lead hazards are identified during the risk assessment, the owner shall complete hazard reduction activities. If the activities are not completed within thirty (30) days, the unit is deemed to be in violation of HQS. Further guidance is contained in the Housing Choice Voucher Guidebook.
- 5323.7 DCHA may make reasonable accommodations to HQS standards as necessary pursuant to § 4900.3.

SOURCE: Final Rulemaking published at 59 DCR 7890 (June 29, 2012).