

9821 DEFAULT

- 9821.1 If an AYBL Family defaults under any of the terms of the Contract of Participation, the tenancy shall automatically convert to a conventional public housing tenancy. All sums due pursuant to the Contract of Participation shall be deemed rent and are payable to DCHA. The AYBL Family shall transfer to a conventional public housing unit pursuant this chapter. DCHA shall be entitled to initiate legal action in any appropriate forum for possession and/or rent.
- 9821.2 The rent will be re-calculated in accordance with the standards set forth in 14 DCMR Chapter 62. DCHA will initiate an interim recertification to determine the new rent amount based on the information currently available in DCHA records.
- 9821.3 Events of default include but are not limited to:
- (a) Any breach of the Contract of Participation or of the AYBL Lease Addendum;
 - (b) Failure to make any required payment under the AYBL Lease Addendum;
 - (c) Failure to maintain the balance in their maintenance escrow account due to tenant caused damages;
 - (d) Failure to timely pay escrow and/or rent;
 - (e) Failure to attend required training sessions or meetings;
 - (f) Failure to submit interim or periodic recertification;
 - (g) Failure to report increases in income in accordance with recertification regulations; and
 - (h) Failure to report changes in family composition.
- 9821.4 Upon default or voluntary termination of the Contract of Participation or non-payment of escrow accounts, all escrow accounts are deemed rent and subject to the jurisdiction of the D.C. Superior Court Landlord Tenant Branch.
- 9821.5 In the event the family is in default of their Contract of Participation, DCHA shall provide a written Notice of Non-Compliance. The AYBL family will have an opportunity to meet with DCHA staff, examine any documents, records and/or regulations that are the basis of the default and have the opportunity to cure or correct the default. The family must cure the default within six (6) months from the date of the Non-Compliance or by the end of the term of their Contract of Participation, whichever is shorter. The notice shall be mailed or hand delivered

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to the family at their unit in the AYBL Rewards Property.

- 9821.6 In the event the family is in default of their Contract of Participation, DCHA shall provide written notice of the default, an opportunity to meet with DCHA staff, and the opportunity to cure or correct the default. The family must cure the default within six (6) months from the date of the notice or by the end of the term of their Contract of Participation, whichever is shorter. The notice shall be mailed or hand delivered to the family at their unit in the AYBL Rewards Property.

SOURCE: Final Rulemaking published at 58 DCR 2460, 2477 (March 18, 2011); as amended by Final Rulemaking published at 58 DCR 4347, 4348 (May 20, 2011); as amended by Final Rulemaking published at 63 DCR 13165 (November 18, 2016).