

**3901 FILING PETITIONS AND OTHER DOCUMENTS**

- 3901.1 All petitions and other documents to be filed with the Rent Administrator shall be received in the Department of Housing and Community Development, Housing Regulation Administration, Rental Accommodations Division, Housing Resource Center at 1800 Martin Luther King Jr. Avenue, S.E., Washington, D.C. 20020, unless otherwise directed or as provided by § 3901.15, during the hours provided by § 3900.7.
- 3901.2 No fee shall be charged for filing any petition or other document with the Rental Accommodations Division; provided, that the applicable rental unit registration fee due under § 401 of the Act (D.C. Official Code § 42-3504.01) shall have been paid to the Department of Licensing and Consumer Protection before filing a Registration/Claim of Exemption Form for the subject housing accommodation.
- 3901.3 All petitions and applications arising under the Act shall be filed on forms published by the Rent Administrator and accompanied by any supporting documents as required.
- 3901.4 All documents filed shall be promptly date-stamped and entered into the appropriate Rental Accommodations Division daily log.
- 3901.5 All petitions and applications filed shall be promptly date-stamped and entered into the appropriate Rental Accommodations Division petition log.
- 3901.6 All Rental Accommodations Division daily logs and petition logs shall be available for public inspection.
- 3901.7 Unless otherwise required by Chapters 39-44 of this title or requested by the Rent Administrator, only one (1) copy of each petition and other document filed with the Rental Accommodations Division shall be required when filing. A filing party may submit an additional copy to be date-stamped and returned to the filing party; provided, that if the filing is made by mail, the party shall include a self-addressed, postage-paid envelope for the return copy. A party may be required to provide additional copies of any petition or other document to the Rental Accommodations Division within three (3) business days of a written request by the Rent Administrator.
- 3901.8 All petitions and other documents filed shall be deemed filed when date-stamped by the Rental Accommodations Division during business hours provided in § 3900.7, unless, as provided by § 4208.6, the Rent Administrator determines a petition will be deemed filed at a later date.
- 3901.9 The acceptance of a document for filing shall not constitute an approval of the document's legal sufficiency or a waiver of any failure to comply with the requirements of the Act or any regulations.

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- 3901.10 All petitions and other documents filed with the Rental Accommodations Division shall be formatted as follows:
- (a) All text shall be legible, and all documents shall be suitable for electronic scanning;
  - (b) If filing a form published by the Rent Administrator, the form shall be completed by typing or hand-printing in black ink;
  - (c) Any motion, complaint details, affidavits, or other written document prepared for filing shall be typed or printed in black ink, with a font size of twelve (12) points, with no less than one-inch (1") margins, on eight and one half-inch (8.5") by eleven-inch (11") white paper;
  - (d) Supporting documents or exhibits, if filed, shall be provided in the original format but shall be reproduced on eight and one half-inch (8.5") by eleven-inch (11") white paper;
  - (e) If filing by email attachment, the party shall comply with the transmission requirements of § 3901.12; and
  - (f) On his or her own initiative, the Rent Administrator may, in his or her discretion, waive the requirements of this subsection.
- 3901.11 The Rent Administrator may refuse to accept for filing any pleading or other document that does not comply with the requirements of the Act or Chapters 39-44 of this title, such as a document that:
- (a) Is not filed during business hours, with sufficient copies if required, in accordance with the formatting requirements of § 3901.10, or transmitted in accordance with § 3901.12;
  - (b) Is not on the prescribed form, if required by Chapters 39-44 of this title;
  - (c) Is not prepared in accordance with the instructions of the Rent Administrator on a required form or is plainly defective on its face;
  - (d) Is not accompanied by supporting documents if required; or
  - (e) Is not signed by the party, or an authorized representative of the party, filing the petition.
- 3901.12 The documents listed in § 3901.13 may be filed by email attachment as follows:

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- (a) All email attachments shall be in Portable Document Format (“.pdf” file type) and shall comply with the formatting requirements in § 3901.10 when printed;
- (b) The cover email to which a filing is attached shall include the name, physical address, actively monitored reply email address, and telephone number of the person making the filing;
- (c) Each filing shall be transmitted in a single email, and the total size of an email used for filing shall not exceed the limit implemented by the District of Columbia government’s information technology systems, presently thirty-five (35) megabytes and subject to change without notice;
- (d) A person may file no more than ten (10) petitions or other documents by email attachment per business day, unless the Rent Administrator agrees in writing prior to any additional filings;
- (e) An email received outside the Rental Accommodations Division’s regular business hours provided by § 3900.7 shall be deemed filed at the start of the next day that the Rental Accommodations Division is open for public business;
- (f) A party filing by email accepts the risk that an email or attachment may be delayed or disrupted by technical failure or defect and may not be properly filed; and
- (g) All filings by email attachment shall be sent to [dhcd.rad@dc.gov](mailto:dhcd.rad@dc.gov).

3901.13 Unless otherwise directed by the Rent Administrator, only the following documents may be filed by email attachment:

- (a) Registration/Claim of Exemption Forms;
- (b) Amended Registration Forms;
- (c) Tenant’s Notice to Housing Provider of Elderly or Disability Status Forms;
- (d) Elderly Tenant and Tenant with a Disability Claim of Exemption from Housing Provider Petition Rent Surcharge Increase Forms;
- (e) Certificates of Adjustment in Rent Charged (including supporting Notices to Tenant of Adjustment in Rent Charged);
- (f) Rent history disclosure forms;

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- (g) Notices to vacate;
- (h) Tenant Petitions; and
- (i) Tenant Payment Plan Complaints under § 402 of the Coronavirus Support Temporary Amendment Act of 2021, effective June 24, 2021 (D.C. Law 24-0009; D.C. Official Code § 42-3281).

3901.14 No documents shall be filed by fax except:

- (a) Tenant's Notice to Housing Provider of Elderly or Disability Status Forms; and
- (b) Elderly Tenant and Tenant with a Disability Claim of Exemption from Housing Provider Petition Rent Surcharge Increase Forms.

3901.15 The Rental Accommodations Division shall, following completion of the publicly accessible rent control housing database required by § 203c of the Act (D.C. Official Code § 42-3502.03c), provide an internet-accessible portal for the submission of any petition, application, or other document by housing providers. The Rental Accommodations Division may additionally provide for the filing of any petition, application, or other document through the portal by tenants. For the purposes of §§ 3901.1 and 3901.3, any time Chapters 38-44 of this title require information be filed on a form published by the Rent Administrator, submission through the portal shall be deemed to comply with the requirements that the document be received at the Housing Resource Center and that the published form be used.

3901.16 By filing a petition or other document with the Rental Accommodations Division, a person certifies that, to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

- (a) The petition or other document is not being filed for any improper purpose, such as to harass or to cause unnecessary delay; and
- (b) All representations therein are complete, accurate, and true.

3901.17 Unless the Rent Administrator orders otherwise, all persons filing any petition or other document with the Rental Accommodations Division are encouraged to redact the following information:

- (a) Any Social Security number or taxpayer-identification number;
- (b) Any driver's license or other government-issued identification card number;

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- (c) The day and month of any individual's birthdate, except if the document is submitted to prove the person's age and more specificity than the year alone is necessary;
- (d) The name of an individual known to be a minor; and
- (e) Any financial account number, including credit and debit card numbers, except the last four (4) digits of the account number.

SOURCE: Notice of Final Rulemaking published at 33 DCR 1336, 1351-52 (March 7, 1986); as amended by Final Rulemaking published at 68 DCR 012634 (December 3, 2021); as amended by Final Rulemaking published at 70 DCR 001710 (February 3, 2023).