

6117 ADDING INDIVIDUALS TO THE LEASE

- 6117.1 Any person using or occupying the Leased Premises not in compliance with this Section is an unauthorized occupant without tenancy or other rights under the Dwelling Lease, including any person using or occupying the Leased Premises without approval from DCHA. Exceptions to the provisions of this chapter may be made in order to provide reasonable accommodations as required by law.
- 6117.2 A family shall notify in writing to DCHA of any additions to their household composition in cases of (1) Persons born to an existing household member; (2) Persons legally adopted by an existing household member; (3) Persons subject to a custodial power of attorney; and (4) Persons who have been added to the household of an existing household member by order of a court of competent jurisdiction including orders of guardianship, conservatorship, and legal custody. A family shall submit a copy of the appropriate court order, a birth certificate, custodial power of attorney, or other supporting documentation deemed necessary by DCHA within thirty (30) days of the addition to the household composition; additionally:
- (a) DCHA may require the family to transfer to an appropriately sized unit that will not result in overcrowding or occupancy in excess of the standards specified in Chapter 61 of this Title; and
 - (b) Any addition of an adult is a proposed addition until DCHA has notified the Lessee that the adult has been added as a household member. The Authority will screen the proposed adult addition in accordance with federal law and regulations as well as DCHA's admissions and occupancy policies and regulations. Within thirty (30) days of notification of the proposed addition, Lessee will be notified of the disposition of the proposed addition.
- 6117.3 Other than those persons listed in Subsection 6117.2, no additional persons, adults or minors, may be added to the household composition as household members unless:
- (a) The Lessee submitted a written request to add additional persons to the household and the request was approved by DCHA;
 - (b) The proposed additional household member shall be subject to DCHA approval criteria and must meet all applicable eligibility and screening requirements, and
 - (c) The requested addition to the household shall not cause the Leased Premises to exceed the maximum occupancy in accordance with the Authority's policies and regulations.

District of Columbia Municipal Regulations

6117.4 DCHA may permit Lessees to add minor children, other than those listed in Subsection 6117.2, with a care giving relationship, provided:

- (a) The adding of an additional household member is in accordance with Subsection 6117.3;
- (b) Appropriate documentation acceptable to DCHA of a care giving relationship is provided prior to the minor children moving into the unit. Documentation shall be sufficient to establish the care giving relationship and may include: notarized authorization from the child's legal guardian, school or medical records, public benefit records, and sworn statements from medical, legal, social service professionals, teachers or clergy; and
- (c) Notwithstanding the provisions of Subsection 6117.2, if additional occupants would result in occupancy in excess of the standards specified in Section 6110 of this title, DCHA may review a reasonable request to approve the addition of minor children to the Dwelling Lease taking into account certain factors including but not limited to:
 - (1) The number of additional occupants;
 - (2) The size of the unit;
 - (3) The age of the household members;
 - (4) The expected duration of the care giving relationship;
 - (5) The needs of the housing development; and
 - (6) The capacity of DCHA.

SOURCE: Final Rulemaking published at 46 DCR 603 (January 22, 1999), incorporating by reference the text of Proposed Rulemaking published at 45 DCR 7913 (November 6, 1998); as amended by Final Rulemaking published at 50 DCR 5739 (July 18, 2003); as amended by Final Rulemaking published at 50 DCR 10356 (December 5, 2003); as amended by Final Rulemaking published at 51 DCR 2106 (February 27, 2004); as amended by Final Rulemaking published at 51 DCR 8104 (August 20, 2004); as amended by Final Rulemaking published at 51 DCR 11330 (December 10, 2004); as amended by Final Rulemaking published at 54 DCR 12303 (December 21, 2007).