

**4401 RELOCATION ASSISTANCE**

- 4401.1 Each tenant displaced by actions taken under §§ 501(f), (g), (h), or (i) of the Act (D.C. Official Code §§ 42-3505.01(f), (g), (h), or (i)) shall receive a monetary payment of relocation assistance from the housing provider pursuant to the provisions of Title VII of the Act (D.C. Official Code §§ 42-3507.01 *et seq.*).
- 4401.2 A tenant to be displaced under one of the provisions listed in § 4401.1 shall receive notice of the right to relocation assistance and of the amount to be paid at the time a notice to vacate is served in accordance with § 4302.
- 4401.3 If more than one (1) tenant leases a rental unit, any relocation assistance due under this section shall be paid in equal portions to each tenant, unless the tenants request in writing, signed by each tenant, that the payment be divided in some other way.
- 4401.4 If a tenant is displaced under one of the provisions listed in § 4401.1 from a housing accommodation in which more than one owner, manager, or other person qualifies as a housing provider under the Act at the time the notice described in § 4401.2 is served, not including a sub-lessor, each housing provider shall be jointly and severally liable for the payment of relocation assistance.
- 4401.5 Payment of relocation assistance to a tenant shall be in the form of cash, money order, or certified check payable to the tenant.
- 4401.6 The amount of relocation assistance due to a tenant who is displaced under one of the provisions listed in § 4401.1 shall be determined in accordance with § 703(a) of the Act (D.C. Official Code § 42-3507.03(a)) or rules promulgated by the Mayor pursuant to § 703(b) (D.C. Official Code § 42-3507.03(b)).
- 4401.7 Relocation assistance due to a tenant who is displaced under one of the provisions listed in § 4401.1 shall be paid to the tenant as follows:
- (a) If the housing provider has received at least ten (10) business days advance, written notice of the date on which the tenant will vacate the rental unit, not later than twenty-four (24) hours before the date the tenant will vacate the rental unit; or
  - (b) If the tenant does not provide the housing provider with at least ten (10) business days advance, written notice of the date on which the tenant will vacate the rental unit, not later than thirty (30) days after the tenant has vacated the rental unit.
- 4401.8 Except as provided by § 4401.9, payment of relocation assistance shall not be required with respect to any rental unit that is the subject of an outstanding

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judgment for possession for any reason obtained by the housing provider, or the housing provider's predecessor in interest, against a tenant.

- 4401.9 If an outstanding judgment for possession of a rental unit is based upon non-payment of rent and the non-payment arose after the service of a notice described in § 4401.2, the amount of relocation assistance determined in accordance with § 4401.6 shall be reduced by the amount determined by the court rendering the judgment for possession to be due and owing from the tenant to the housing provider.
- 4401.10 For the purposes of this section, a subtenant or sub-lessee shall be treated as a direct tenant of a housing provider who takes action under one of the provisions listed in § 4401.1, and the original tenant or sub-lessor shall not be responsible for the payment of relocation assistance to the subtenant or sub-lessee.

SOURCE: Notice of Final Rulemaking published at 33 DCR 1336, 1423 (March 7, 1986); as amended by Final Rulemaking published at 68 DCR 012634 (December 3, 2021).